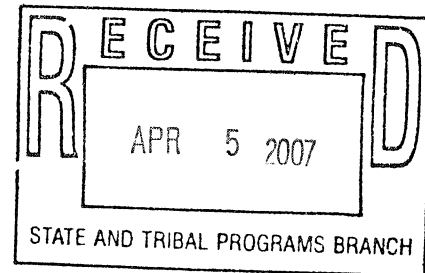




April 3, 2007



Jo Lynn Traub,
Director
Water Division (Mail Code: W-15J)
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Re: Lac du Flambeau Band of Lake Superior Chippewa Indians – Clean
Water Act Treatment as a State

Dear Director Traub:

On behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians, I submit the following supplemental information in support of the Tribe's application for treatment as a state (TAS) under sections 303 and 401 of the Clean Water Act. Please make this letter, and its attachments, part of the record in this matter.

The Tribe has already demonstrated the fundamental importance of water in the life of the Tribe – including with respect to the Treaty-protected activities of hunting, fishing and wild rice gathering. Both historically and today, these activities have been important to Tribal members as a source of food needed for survival and as a key component in the preservation of Tribal culture and spiritual beliefs. The Tribe seeks TAS to ensure that clean water will be available for future generations on the Tribe's Reservation.¹

EPA requires a tribe seeking TAS to support its application with basic facts to meet the *Montana* test, which involves demonstrating that non-Indian activity on fee lands "threatens or has some direct effect on the political integrity, the economic security,

¹ See Attachment B at 7-15 (Letter from William R. Perry, Sonosky, Chambers, Sachse, Endreson & Perry, LLP to Victoria A. Doud, President, Lac du Flambeau Band of Lake Superior Chippewa Indians) (Oct. 12, 2005). The Tribe's October, 2005 submission included Attachments A through AT. The Tribe's May, 2006 response to comments included Attachments AU through BA. This letter includes Attachments BB through BK.

Lac du Flambeau Band
of Lake Superior Chippewa Indians

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or the health or welfare of the tribe.” *Montana v. United States*, 450 U.S. 544, 566 (1981). As we have already shown,² the Tribe faces a broad range of activities by non-Indians on fee lands on the Reservation – including shoreline development, cranberry operations, logging activity, wetland fills, sand and gravel mining, pesticide and fertilizer use, and the operation of septic systems. There is no question that these activities collectively create a serious potential for adversely affecting the quality of Reservation waters – and the Clean Water Act does not require an environmental disaster to occur before granting treatment as a state status to a Tribe. Thus, the Tribe has demonstrated that Reservation waters are a fundamental source of the Tribe’s cultural, spiritual and economic life, and that a broad array of non-Indian activities on fee lands seriously threatens to adversely impact those waters. Accordingly, the *Montana* test is met here.

While no more is needed, we provide with this letter additional attachments that reinforce the Tribe’s showing.

1. Forestry. The Lac du Flambeau Reservation contains extensive woodlands, as essentially half the Reservation (almost all of the Reservation that is not water) is forested uplands. Forestry activities have long been prevalent on the Reservation and in the surrounding area. Forestry and related activities have a significant potential to adversely impact water quality, largely through sediment and pollutants that enter surface waters through increased runoff.

Based on information provided by the Wisconsin Department of Natural Resources (WDNR), within the Lac du Flambeau Reservation there are currently 3,151.06 acres of fee land that are enrolled in the Wisconsin Managed Forest Law program and another 1,113.07 acres in the Forest Crop Law program.³ The lands that are the subject of these programs are productive forest lands, and these programs, as described by WDNR, are

² See Attachments B, O – AT.

³ See Attachment BB. This Attachment is a printout of properties covered by the Managed Forest Law or the Forest Crop Law for portions of Vilas, Oneida and Iron counties. The underlying printout is an excerpt from the WDNR 2007 Master Listing. The Tribe, using WDNR’s township and range legal descriptions, identified each property that is located on the Reservation and designated each on the Attachment by placing a mark in the left hand margin, next to the landowner’s name. We note that of the total acreages on the Reservation that are enrolled in these forestry programs, 47 acres under the Managed Forest Law and 40 acres under the Forest Crop Law are fee lands owned by the Tribe.

intended to encourage timber production, through various means including tax benefits.⁴ The Managed Forest Law program "is primarily focused on timber production. The expectation is that you [the property owner] will manage your land to meet that objective, with other objectives secondary. . . ."⁵ In short, forestry activities on fee lands on the Reservation are widespread.

2. Cranberry operations. Cranberry operations can significantly effect water quality in numerous ways. The Wisconsin Department of Natural Resources, in its 2000 Water Quality Report to Congress, described several "water quality concerns" arising from cranberry operations as follows:

Studies of several northern lakes located downstream from cranberry operations have shown increased levels of nutrients and phosphorus. The increased nutrients can cause excessive weed and algae growth and reduce dissolved oxygen in downstream surface waters.

Increased sediment loads to adjacent waters can occur during construction, ditch maintenance activities, and from eroding dikes, resulting in turbidity and sedimentation. Discharges of sediments to sensitive wetlands and trout streams are of particular concern.

There is the potential for pesticides applied to cranberry beds to be discharged to downstream surface waters or wetlands.

* * *

Another water quality issue associated with cranberry cultivation is the potential for increased temperatures. Studies

⁴ The Managed Forest Law, enacted in 1985, provides tax benefits to private landowners who meet certain conditions regarding their forest lands, including submitting and following a forestry management plan. See <http://www2.dnr.state.wi.us/org/land/forestry/ftax/managed.htm>. The Forest Crop Law, enacted in 1927, was an earlier measure that also provided tax benefits to private owners of forest lands. See <http://www2.dnr.state.wi.us/org/land/forestry/ftax/FCL.htm>. Enrollment in this program closed in 1986. *Id.*

⁵ See <http://www2.dnr.state.wi.us/org/land/forestry/ftax/mflfactsheet.pdf>

have found stream temperatures are elevated downstream of cranberry reservoirs. The increased temperatures, especially if added to other factors resulting in habitat degradation, can adversely affect trout streams.⁶

WDNR also described wildlife impacts associated with water levels impacted by cranberry operations:

In summer drought and in the fall, cranberry beds are irrigated or flooded, reducing the amount of available water to nearby waters. The timing of diversions from, and discharges to waterways, can increase water level fluctuations in some waterbodies beyond what would normally occur. Diversion of water from a stream may temporarily reduce downstream flows, potentially resulting in increased temperatures and reducing suitable habitat for existing aquatic life. Increased use and storage of water in cranberry operations located upstream of managed wildlife areas may decrease water supplies to associated waterfowl impoundments.⁷

Likewise, WDNR discussed the potential loss of wetlands arising from activities related to cranberry operations:

In addition to direct losses of wetlands, wetlands may be indirectly lost or degraded through hydrologic changes when cranberry growers ditch, dike and divert surface waters through wetlands. For example, much of the area flooded by reservoirs was wetland before it was flooded. Sedge meadow, floodplain forest, conifer swamp and conifer bog complexes have been converted to open water marsh. Flooding of natural communities eliminates habitat and can result in species displacement or elimination. Since permits are not

⁶ See Attachment BC at 15-16. While WDNR in this same report also generally mentioned industry efforts to mitigate these problems, the underlying concerns regarding the potential impact of cranberry operations on water quality remain, as indicated by WDNR's own discussion.

⁷ *Id.* at 16.

always required for reservoir construction, these indirect losses and impacts have not been quantified.⁸

Along these same lines, WDNR in 1995 reviewed an application by a cranberry operator on the Lac du Flambeau Reservation for a permit to expand its operations in a wetland adjacent to Great Corn Lake. As WDNR reported to EPA in connection with this matter, “[w]e feel that direct discharge of nutrients by the cranberry beds will decrease water clarity, increase algae production and accelerate aging of the lake,” and “we expect these cranberry bed discharges to cause significant degradation of water quality in Great Corn Lake.”⁹ WDNR also stated that “[w]e are also concerned about the likely discharge of pesticides to Great Corn Lake.”¹⁰

These concerns expressed by WDNR reinforce the range of threatened and actual water quality impacts previously described in the Tribe’s submission in this matter – that cranberry operations can significantly impact water quality in terms of sediment loads, pesticides, increased temperatures, fluctuating water levels and loss of wetlands.¹¹

3. Wetland and lake fills. Wetlands play a vital role in the health of a watershed. Wetlands provide critical habitat for many species of fish, amphibians, shellfish, and insects – as well as migratory birds and mammals. Wetlands also protect and enhance water quality and provide important sites for cultural practices and recreational activities. A very significant portion (28%) of the area of the Lac du Flambeau Reservation is wetlands.

According to the Corps of Engineers, fill activity involving surface water takes place on fee lands on the Lac du Flambeau Reservation.¹² Much of this arises from residential development, road construction and bank stabilization by homeowners. The Corps of Engineers requires a permit for any such activity that requires fill to be placed in

⁸ *Id.* at 16-17.

⁹ See Attachment BD. Letter from William C. Jaeger, Water Quality Biologist, WDNR, to U.S. EPA, Wetlands and Watershed Section (May 17, 1995) at 2.

¹⁰ *Id.*

¹¹ See Attachment B at 17-18, 20-21; Attachment O at 17-24; Attachment K(6); Attachment K(2).

¹² See Attachment BE. This document, prepared at the Tribe’s request by Michael F. O’Keefe, Corps of Engineers, St. Paul District, Stevens Point Field Office, summarizes dredge and fill activity on the Reservation that involved Corps permits, over the past five years.

waters of the Reservation. Further, the Corps recognizes that dredge and fill activities on fee lands on the Lac du Flambeau Reservation can impact archeological resources, and that the Tribe has an interest in those activities.¹³ The Corps also notes that some dredge and fill activity on fee lands is undertaken without the required permit.¹⁴

4. Sand and gravel. There have been at least three commercial sand and gravel operations on the Reservation over the last several years, including two on fee lands. The potential exists for further sand and gravel mining activity on the Reservation, according to a study by the BIA.¹⁵ Sand and gravel development can adversely impact both surface and ground water by increasing runoff, reducing filtering properties of overlying soil and vegetation, and exposing minerals.

5. Septic Systems. Most homes on the Reservation use septic systems to dispose of domestic wastewater. In fact, apart from a Tribal sewage system that services approximately 533 homes in the Town of Lac du Flambeau,¹⁶ all other homes on the Reservation,¹⁷ including those on fee lands near lakes, rivers and streams, use septic systems. Septic systems that are not properly designed or maintained, or that fail to operate effectively, can contaminate surface or groundwater.

6. Brownfield Sites. Four Brownfield sites are located on fee lands on the Reservation. Two of these are former junkyards, and two are former industrial/

¹³ See Attachment BF. Letter from Michael F. Pfenning, St. Paul District, Corps of Engineers to Edward and Carol Hofert (March 9, 2005). This is an example of a Letter of Permission (LOP) from the Corps of Engineers concerning a permit to fill a lakeshore area on the Lac du Flambeau Reservation.

¹⁴ See Attachment BG. Letter from Robert J. Whiting, St. Paul District, Corps of Engineers, to Dave Hougan (May 28, 2004). This is an example of a letter from the Corps describing a violation on the Lac du Flambeau Reservation of the Corps' dredge and fill permit regulations.

¹⁵ See Attachment BH, E. Dillenbeck & C. Verdel, Aggregate Assessment of Selected Locations on the Lac du Flambeau Indian Reservation North-Central Wisconsin (May 2002) (Executive Summary).

¹⁶ See Attachment BI, Letter from Scott Valliere, Tribal Water & Sewer Manager, to Gretchen Watkins, Tribal Water Resources Program (March 26, 2007).

¹⁷ See Attachment O at 3 (2000 Census "indicates there are 2,907 housing units within the Reservation").

commercial sites. Each of these has been registered with EPA.¹⁸ By definition, these sites contain or have a potential to contain a hazardous substance, pollutant or contaminant that requires cleanup prior to redevelopment. The contaminants associated with Brownfield sites can adversely affect waters, particularly groundwater.

7. Development. As the Tribe has already shown, extensive shoreline development is taking place on the Reservation, and this presents significant threats to water quality, including increased nutrients, pesticides and sedimentation.¹⁹ In recent years, the pace and scope of shoreline development on the Reservation has increased. As the Town of Lac du Flambeau Zoning Administrator reported with respect to the year 2005:

People continue to be active in developing new lots, building new homes and improving their existing homes and properties.

We had a total of 43 new homes built last year. Eight existing homes had been demolished and replaced with six new homes. EQ Johnson's Lighthouse Resort built a four-plex rental unit on one of their vacant lots.

Fence Lake Lodge was sold and went condo. We had nine subdivisions, any of which involved only 2-4 lots. People recognize the continued value of lake property and are cashing in on the constant demand for more lake lots.

There were 3 new boathouses, 48 logging and three cutting permits, 50 garage permits, 19 camping permits, 64 additions/alternations and approximately 60 miscellaneous permits which cover paths, steps, fences, demolition patios and such.²⁰

¹⁸ See Attachment BJ, Documentation submitted to EPA for Brownfields determination and corresponding eligibility determination from EPA.

¹⁹ See Attachment O at 14; Attachment B at 18.

²⁰ See Attachment BK, Annual Reports from Sue Ackland, Town of Lac du Flambeau Zoning Administrator to the Lac du Flambeau Town Board (for the years 2002-2006).

For 2006, development continued, and

the Town of Lac du Flambeau saw another 38 new homes. Of that number, 9 were demolition of existing houses with 8 being reconstructed. We had a total of 267 permits for the year. They include approximately 53 garages, 20 tree cutting, 4 logging, 4 boathouses, 50 larger additions with numerous accessory permits covering decks, fences, porches, paths, patios, sheds, etc.²¹

The years 2002 to 2004 showed a similar pattern of development.²² This development overall threatens the quality of Reservation waters.

Conclusion

The Tribe has demonstrated that the waters of the Reservation provide game, fish and wild rice that Tribal members rely on for food, and that those waters are closely tied to the preservation of the Tribe's culture and way of life. The Tribe has also demonstrated that a broad range of non-Indian activities on fee lands on the Reservation threatens to change Reservation waters in ways that would harm the Tribe's governmental, economic, cultural and health interests. The Tribe seeks TAS to protect against such harm within the framework authorized by the Clean Water Act. As matters now stand, there are no water quality standards for point source discharges on the Reservation. Since the Tribe has made the necessary showing, EPA should grant the Tribe's application and allow the Tribe to fill that void.

Sincerely,



Larry Wawronowicz

Deputy Administrator of Natural Resources

²¹ *Id.*

²² *Id.* Note that the figures within all of these annual reports are for development within the Town of Lac du Flambeau and accordingly reflect only a part of the full measure of the fee land development on or near the Reservation.

Jo Lynn Traub, Director
April 3, 2007
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Attachments

**Lac du Flambeau Band of Lake
Superior Chippewa Indians**

**Clean Water Act Treatment as a
State Application**



Attachments BB to BK

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ATTACHMENT BB

Wisconsin Department of Natural Resources, Managed Forest Law – 2007 Master Listing (excerpts from Master Listing prepared by WDNR for portions of Vilas, Oneida and Iron counties, as annotated by Tribe to identify properties on the Reservation).

ATTACHMENT BC

Wisconsin Water Quality Report to Congress 2000, Wisconsin Department of Natural Resources, pp. 15-17.

ATTACHMENT BD

Letter from William C. Jaeger, Water Quality Hydrologist, WDNR to U.S. EPA, Wetlands and Watershed Section (May 17, 1995).

ATTACHMENT BE

Army Corps of Engineers, St. Paul District, Stevens Point Field Office, Printout of Corps actions over the past five years on the Lac du Flambeau Reservation (March 2007).

ATTACHMENT BF

Letter from Michael F. Pfenning, St. Paul District, Corps of Engineers to Edward and Carol Hofert (March 9, 2005).

ATTACHMENT BG

Letter from Robert J. Whiting, St. Paul District, Corps of Engineers, to Dave Hougan (May 28, 2004).

ATTACHMENT BH

E. Dillenbeck & C. Verdel, Aggregate Assessment of Selected Locations on the Lac du Flambeau Indian Reservation North-Central Wisconsin (Bureau of Indian Affairs, Division of Energy and Mineral Resources, May 2002) (Executive Summary).

ATTACHMENT BI

Letter from Scott Valliere, Tribal Water & Sewer Manager, to Gretchen Watkins, Tribal Water Resources Program (March 26, 2007).

ATTACHMENT BJ

Property Profile Form, Site Specific Eligibility Determination, and Eligibility Determination e-mail from EPA to Tribal Brownfields Coordinator for Clear Lake Junkyard, Patterson Property, Hwy 70 Fireworks Stand, and Jim Burns Property.

ATTACHMENT BK

Annual Reports of Sue Ackland, Town of Lac du Flambeau Zoning Administrator,
to the Lac du Flambeau Town Board (for the years 2002-2006).

Attachment BB



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
MANAGED FOREST LAW - 2007 MASTER LISTING

LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS										
MUNICIPALITY: LAC DU FLAMBEAU (T)										
● REINHARDT LANDS INC	64-014-1999	40	04E	14	SWSE, PART OF	0.000	37.000	25	1	72.15
● REINHARDT LANDS INC	64-014-1999	40	04E	14	GOV LOT 1, PART OF	0.000	10.000	25	1	19.50
● HANSER, WILLIAM J ETAL	64-008-1999	40	04E	15	GOV LOT 1	0.000	43.700	25	1	85.22
● SWIMMING BEAR COMPANY INC	64-005-1993	40	04E	15	GOV LOT 5, PART OF	21.000	0.000	25	1	17.43
● KRAMETBAUER, BENNETT	64-011-1999	40	04E	15	GOV LOT 6, PART OF	0.000	18.000	25	1	35.10
● HANSER, WILLIAM J ETAL	64-008-1999	40	04E	15	GOV LOT 7, PART OF	0.000	1.900	25	1	3.71
● HANSER, WILLIAM J ETAL	64-008-1999	40	04E	15	GOV LOT 8, PART OF	0.000	13.720	25	1	26.75
SWIMMING BEAR COMPANY INC	64-005-1993	40	04E	16	NESW	10.000	30.000	25	1	66.80
SWIMMING BEAR COMPANY INC	64-005-1993	40	04E	16	SESW	1.000	39.000	25	1	76.88
SWIMMING BEAR CO INC	64-001-2006	40	04E	16	SESE	0.000	40.000	25	2	291.20
		PIN: 010-182								
● REDLICH, ROY ETAL	64-005-2001	40	04E	23	NWSW	0.000	40.000	25	1	78.00
		PIN: 010-312								
● BRUGGINK, PAUL W ETAL	64-002-2003	40	04E	26	SESE, PART OF	0.000	24.000	25	1	46.80
		PIN: 010-393								
● GARDEN GATE INC	64-016-1996	40	04E	26	GOV LOT 7, PART OF	0.000	14.600	50	1	28.47
● BRUGGINK, PAUL W ETAL	64-002-2003	40	04E	26	GOV LOT 7, PART OF	0.000	19.000	25	1	37.05
		PIN: 010-385-01								
FRIEDRICH, TIMOTHY J ETAL	64-005-1991	40	04E	28	NESE, PART OF	1.000	7.000	25	1	14.48
		PIN: PART OF 010-451-003								
MARSHALL, EDWARD L	64-011-2002	40	04E	28	NESE, PART OF	0.000	10.000	25	1	19.50
		PIN: 010-451								
FRIEDRICH, TIMOTHY J ETAL	64-005-1991	40	04E	28	SWSE, PART OF	19.000	3.000	25	1	21.62
FRIEDRICH, TIMOTHY J ETAL	64-005-1991	40	04E	28	SESE, PART OF	5.000	2.000	25	1	8.05
		PIN: PART OF 010-452-03								
MARSHALL, EDWARD L	64-013-1996	40	04E	28	SESE, PART OF	15.000	0.000	25	1	12.45
THEILER, BARBARA	64-006-1992	40	04E	29	NWSW	0.000	40.000	25	1	78.00
THEILER, CARL F	64-007-1992	40	04E	29	NESW, PART OF	0.000	38.000	25	1	74.10
THEILER, BARBARA	64-006-1992	40	04E	29	SWSW, PART OF	0.000	13.000	25	1	25.35
THEILER, BARBARA	64-006-1992	40	04E	29	SESW, PART OF	0.000	10.000	25	1	19.50
THEILER, CARL F	64-007-1992	40	04E	30	NESE	0.000	40.000	25	1	78.00
THEILER, BARBARA	64-006-1992	40	04E	30	NWSE	0.000	40.000	25	1	78.00
THEILER, BARBARA	64-006-1992	40	04E	30	SWSE	0.000	40.000	25	1	78.00
THEILER, ANDREW E	64-008-2002	40	04E	30	NENW, PART OF	0.000	20.000	25	1	39.00
		PIN: 010-484								

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES
MANAGED FOREST LAW - 2007 MASTER LISTING**

RUN DATE: 02-19-2007
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LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS										
MUNICIPALITY: LAC DU FLAMBEAU (T)										
THEILER, ANDREW E	64-008-2002	40	04E	30	SENW, PART OF	0.000	20.000	25	1	39.00
		PIN: 010-488								
THEILER, CARL F	64-007-1992	40	04E	30	SESE, PART OF	0.000	30.000	25	1	58.50
MARSHALL, EDWARD L	64-013-1996	40	04E	33	NENE, PART OF	36.000	2.000	25	1	33.78
● LIGGIO, LOUIS V ETAL	64-207-1997	40	04E	35	SENE	0.000	40.000	25	1	78.00
● ERDMANN, GAYNE G ETAL	64-011-1998	40	05E	01	SWSE	0.000	40.000	25	1	78.00
● HICKEY, GENER R ETAL	64-006-1991	40	05E	01	GOV LOT 1, PART OF	29.000	0.000	25	1	24.07
● HICKEY, GENER R ETAL	64-006-1991	40	05E	01	GOV LOT 2, PART OF	38.000	0.000	25	1	31.54
● MERCON INC	64-004-1992	40	05E	03	NWSW, PART OF	20.000	0.000	25	1	16.60
● PUKALL LUMBER CO	64-002-2007	40	05E	04	NESW	40.000	0.000	25	2	58.40
		PIN: 010-713-01								
● JOSEPH J KWIETNEWSKI REVOC TRUST	64-013-1987	40	05E	11	GOV LOT 1, PART OF	36.000	0.000	25	1	29.88
● JOSEPH J KWIETNEWSKI REVOC TRUST	64-013-1987	40	05E	11	GOV LOT 2, PART OF	14.000	0.000	25	1	11.62
● JOSEPH J KWIETNEWSKI REVOC TRUST	64-013-1987	40	05E	12	NWNW, PART OF	8.000	0.000	25	1	6.64
● JOSEPH J KWIETNEWSKI REVOC TRUST	64-013-1987	40	05E	12	SWNW, PART OF	38.000	0.000	25	1	31.54
● ERDMANN, GARY K ETAL	64-004-1987	40	05E	12	GOV LOT 1, PART OF	0.000	32.000	25	1	62.40
		PIN: 010-981								
● HENSEN, EUGENE R ETAL	64-015-1999	40	05E	12	GOV LOT 2, PART OF	0.000	43.950	25	1	85.70
● HENSEN, EUGENE R ETAL	64-015-1999	40	05E	12	GOV LOT 03, PART OF	13.850	35.300	25	1	80.33
● STRONGHART, CHARLES ETAL	64-016-1989	40	05E	13	SESE	40.000	0.000	25	1	33.20
● STRONGHART, CHARLES ETAL	64-016-1989	40	05E	13	NESE, PART OF	36.500	0.000	25	1	30.30
● GEIDEL, JOHN P ETAL	64-003-1988	40	05E	18	NWSW, PART OF	35.000	0.000	25	1	29.05
● SCHROEDER, ROBERT	64-019-2007	40	05E	19	SESW, PART OF	0.000	36.000	25	2	262.08
		PIN: 010-1331								
● BEZAK, ROBERT R ETAL	64-016-1994	40	05E	24	NWNE	40.000	0.000	25	1	33.20
● HUNT, RONALD B ETAL	64-202-1996	40	05E	33	SESW	0.000	40.000	25	1	78.00
● WEBER, WILLIAM P ETAL	64-004-2003	40	05E	33	NWSE, PART OF	0.000	17.110	25	1	33.36
		PIN: 010-2127								
● HAGEDORN, THOMAS A	64-021-2005	40	06E	05	NWSE, PART OF	39.000	0.000	25	2	56.94
		PIN: 010-3187								
● HAGEDORN, THOMAS A	64-021-2005	40	06E	05	SWSE, PART OF	20.000	0.000	25	2	29.20
		PIN: 010-3188-01								
● HAGEDORN, THOMAS A ETAL	64-022-2005	40	06E	05	SWSE, PART OF	20.000	0.000	25	2	29.20
		PIN: 010-3188								

LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS										
MUNICIPALITY: LAC DU FLAMBEAU (T)										
• G A & E A LLP ETAL	64-018-1998	40	06E	08	NWSE	40.000	0.000	50	1	33.20
	PIN: 3320									
• DAVIS LLC	64-010-1996	41	05E	13	GOV LOT 2	0.000	47.000	50	1	91.65
• DAVIS LLC	64-010-1996	41	05E	13	GOV LOT 3	0.000	41.000	50	1	79.95
• SCHWEPPE LLC	64-022-1996	41	05E	13	GOV LOT 4	0.000	39.000	50	1	76.05
• SCHWEPPE LLC	64-022-1996	41	05E	13	NWSW	0.000	40.000	50	1	78.00
• ELLIOTT LLC	64-216-1999	41	05E	14	GOV LOT 2	0.000	29.000	25	1	56.55
• ELLIOTT LLC	64-216-1999	41	05E	14	GOV LOT 3	0.000	40.000	25	1	78.00
• GLORE LLC	64-017-1996	41	05E	14	GOV LOT 4	0.000	27.000	50	1	52.65
• GLORE LLC	64-017-1996	41	05E	14	GOV LOT 5	0.000	25.000	50	1	48.75
• BLATCHFORD LLC	64-008-1996	41	05E	14	GOV LOT 6	0.000	35.700	50	1	69.62
• BLATCHFORD LLC	64-008-1996	41	05E	14	GOV LOT 7	0.000	45.500	50	1	88.73
• GORDON LLC	64-018-1996	41	05E	14	SESW	0.000	40.000	50	1	78.00
• PETTIBONE LLC	64-215-1999	41	05E	15	GOV LOT 1	0.000	53.000	25	1	103.35
• PETTIBONE LLC	64-215-1999	41	05E	15	GOV LOT 2	0.000	45.000	25	1	87.75
• YMCA OF METROPOLITAN CHICAGO	64-006-1999	41	05E	15	GOV LOT 4	10.000	18.000	25	1	43.40
• YMCA OF METROPOLITAN CHICAGO	64-212-1999	41	05E	15	GOV LOT 5	27.000	0.000	25	1	22.41
• YMCA OF METROPOLITAN CHICAGO	64-006-1999	41	05E	15	GOV LOT 6	0.000	18.000	25	1	35.10
• YMCA OF METROPOLITAN CHICAGO	64-212-1999	41	05E	15	GOV LOT 7	29.000	5.000	25	1	33.82
• DONNELLEY LLC	64-011-1996	41	05E	15	GOV LOT 8	0.000	5.000	50	1	9.75
• YMCA OF METROPOLITAN CHICAGO	64-212-1999	41	05E	15	SESW	40.000	0.000	25	1	33.20
• YMCA OF METROPOLITAN CHICAGO	64-006-1999	41	05E	15	NWSW, PART OF	0.000	21.000	25	1	40.95
• CURRAN, WILLIAM E ETAL	64-003-1991	41	05E	18	GOV LOT 4, PART OF	0.000	15.000	25	1	29.25
• CURRAN, WILLIAM E ETAL	64-003-1991	41	05E	18	GOV LOT 5, PART OF	0.000	30.000	25	1	58.50
• FRIEDRICH, TIMOTHY J ETAL	64-004-2004	41	05E	20	GOV LOT 03, PART OF	0.000	15.000	50	1	29.25
	PIN: 010 2647									
• PUCHTER, JAMES F ETAL	64-013-1988	41	05E	22	SWNW	0.000	40.000	25	1	78.00
• PUCHTER, JAMES F ETAL	64-013-1988	41	05E	22	NWSW	0.000	40.000	25	1	78.00
• READ, BARBARA E	64-021-1989	41	05E	22	SWNE, PART OF	23.000	0.000	25	1	19.09
• GESS, CHARLES H ETAL	64-003-1989	41	05E	22	SENE, PART OF	0.000	35.000	25	1	68.25
• DONNELLEY LLC	64-011-1996	41	05E	22	GOV LOT 1, PART OF	0.000	24.000	50	1	46.80
• BACON LLC	64-007-1996	41	05E	23	GOV LOT 1	0.000	5.300	50	1	10.34
• GREELEY LLC	64-019-1996	41	05E	23	GOV LOT 2	0.000	55.500	50	1	108.23
• GREELEY LLC	64-019-1996	41	05E	23	GOV LOT 3	0.000	48.500	50	1	94.58

LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS MUNICIPALITY: LAC DU FLAMBEAU (T)										
● ODELL LLC	64-020-1996	41	05E	23	GOV LOT 4	0.000	32.700	50	1	63.77
● DRAKE LLC	64-012-1996	41	05E	23	GOV LOT 5	0.000	38.000	50	1	74.10
● DRAKE LLC	64-012-1996	41	05E	23	GOV LOT 6	0.000	46.200	50	1	90.09
● GORDON LLC	64-018-1996	41	05E	23	GOV LOT 8	0.000	45.000	50	1	87.75
● BROWN LLC	64-009-1996	41	05E	23	SWNW, PART OF	0.000	35.000	50	1	68.25
● SAND LAKE SUMMER COLONY TRUST	64-021-1996	41	05E	23	GOV LOT 7, PART OF	0.000	50.000	50	1	97.50
● BACON LLC	64-007-1996	41	05E	24	GOV LOT 1	0.000	39.200	50	1	76.44
● ODELL LLC	64-020-1996	41	05E	26	GOV LOT 2	0.000	32.000	50	1	62.40
● ZELM, RICHARD J ETAL	64-022-1988	41	05E	27	SWSE	0.000	40.000	25	1	78.00
● TOMAHAWK TIMBERLANDS LLC	64-016-1998	41	05E	31	FR N1/2 W1/2 SW1/4	44.330	0.000	50	1	36.79
PIN: 3046										
● ZELM, RICHARD J	64-001-1998	41	05E	34	NENW, PART OF	0.000	15.000	50	1	29.25
● ZELM, LAURIE M	64-005-1998	41	05E	34	NENW, PART OF	0.000	17.000	50	1	33.15
● ZELM, RICHARD J	64-001-1998	41	05E	34	NWNW, PART OF	0.000	35.000	50	1	68.25
● ZELM, LAURIE M	64-005-1998	41	05E	34	NWNW, PART OF	0.000	1.000	50	1	1.95
● BEKKUM, KERMIT N ETAL	64-201-1996	41	05E	35	NWNE, EX ROW	0.000	38.500	25	1	75.08
● BEKKUM, KERMIT N ETAL	64-201-1996	41	05E	35	SWNE, EX ROW	0.000	38.500	25	1	75.08
● MCCUTCHIN, STANLEY B ETAL	64-005-1992	41	06E	05	SESE, PART OF	32.000	7.000	25	1	40.21
● MAKWA ENTERPRISES LLC	64-024-2004	41	06E	06	GOV LOT 5	0.000	58.200	25	1	113.49
PIN: 010-3439										
● MAKWA ENTERPRISES LLC	64-024-2004	41	06E	06	GOV LOT 6	0.000	39.300	25	1	76.64
PIN: 010-3440										
● MAKWA ENTERPRISES LLC	64-024-2004	41	06E	06	SWSW	40.000	0.000	25	1	33.20
PIN: 010-3441										
● TOMAHAWK TIMBERLANDS LLC	64-016-1998	41	06E	08	SENE	40.000	0.000	50	1	33.20
PIN: 3460										
● TOMAHAWK TIMBERLANDS LLC	64-020-1999	41	06E	08	SWSE	40.000	0.000	50	1	33.20
PIN: 3465										
● TOMAHAWK TIMBERLANDS LLC	64-020-1999	41	06E	08	SESE	40.000	0.000	50	1	33.20
PIN: 3466										
● TOMAHAWK TIMBERLANDS LLC	64-001-2002	41	06E	08	SWNE, PART OF	0.000	16.000	25	1	31.20
PIN: 010-3456										
● MCCUTCHIN, WILLIAM S ETAL	64-018-1997	41	06E	08	SESW, PART OF	10.000	0.000	50	1	8.30
PIN: 3463										

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LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS MUNICIPALITY: LAC DU FLAMBEAU (T)										
• EAST ELLERSON LAKE LLC	64-013-2002	41	06E	29	GOV LOT 1, PART OF PTN: 010-3518, 3519	0.000	27.000	25	1	52.65
• RYNDERS, ROBERT A	64-014-2002	41	06E	29	GOV LOT 1, PART OF PTN: 010-3518	0.000	34.000	25	1	66.30
• EAST ELLERSON LAKE LLC	64-013-2002	41	06E	29	GOV LOT 2, PART OF PTN: 010-3520	0.000	21.000	25	1	40.95
• WEST ELLERSON LAKE LLC	64-015-2002	41	06E	29	GOV LOT 4, PART OF PTN: 010-3522	0.000	41.000	25	1	79.95
• RYNDERS, ROBERT A	64-014-2002	41	06E	29	GOV LOT 9, PART OF PTN: 010-3529	0.000	25.000	25	1	48.75
TOTAL ACRES FOR TOWN						990.680	2,584.380			

Entry Codes: 1 - Entered between 1987-2004
 Open acres tax = \$0.83 per acre (\$0.83 acreage share tax)
 Closed acres tax = \$1.95 per acre (\$0.83 acreage share tax + \$1.12 closed fee)
 2 - Entered in 2005 or later
 Open acres tax = \$1.46 per acre (\$1.46 acreage share tax)
 Closed acres tax = \$7.28 per acre (\$1.46 acreage share tax + \$5.82 closed fee)

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LANDOWNER	ORDER NUMBER	TWN	RANGE	SEC	DESCRIPTION	ACRES	CON-TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: VILAS									
MUNICIPALITY: LAC DU FLAMBEAU (T)									
● PATTERSON BROS INC	64-002-1963	40	04E	03	SWSE	40.000	50	1	4.00
● PATTERSON BROS INC	64-002-1963	40	04E	10	NWNE	40.000	50	1	4.00
● RENBARGER, LARRY D ETAL	64-008-1963	40	04E	14	NWSW	40.000	50	1	4.00
● RENBARGER, LARRY D ETAL	64-008-1963	40	04E	14	SWSW	40.000	50	1	4.00
● FRANCOIS, JOSEPH	64-003-1968	40	04E	14	NESE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NENE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NWNE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SWNE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SENE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NENW	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SWNW	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NWSW	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SWSW	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NWSE	40.000	50	1	4.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SWSE	20.000	50	1	2.00
SWIMMING BEAR CO INC	64-001-1970	40	04E	16	SENE, PART OF	20.000	50	1	2.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	SENE, PART OF	20.000	50	1	2.00
SWIMMING BEAR COMPANY INC	64-002-1968	40	04E	16	NESE, PART OF	20.000	50	1	2.00
SWIMMING BEAR COMPANY INC	64-001-1970	40	04E	16	NESE, PART OF	20.000	50	1	2.00
SWIMMING BEAR CO INC	64-011-1973	40	04E	24	SENE	40.000	50	3	66.40
● PITLIK & WICK INC	64-011-1973	40	04E	24	NESE	40.000	50	3	66.40
● PITLIK & WICK INC	64-003-1963	40	04E	27	NENW	40.000	50	1	4.00
● SWIMMING BEAR CO INC	64-003-1963	40	04E	27	NWNW	40.000	50	1	4.00
● SWIMMING BEAR CO INC	64-008-1973	40	04E	32	NENW	36.260	50	3	60.19
GRAHL, TRACY A	64-008-1973	40	04E	32	NWNW	40.000	50	3	66.40
GRAHL, TRACY A	64-007-1965	40	04E	35	NENE	40.000	50	1	4.00
● MOSINEE PAPER CORP	64-007-1963	40	04E	35	SWNW	40.000	50	1	4.00
● BOWMAN, RAYMOND A ETAL	PIN: 010-601-1								
● CARDELLI, GLENN ETAL	64-005-1963	40	04E	35	SENE	40.000	50	1	4.00
● MERCON INC	64-001-1963	40	05E	03	SWSW	40.000	50	1	4.00
● MERCON INC	64-001-1963	40	05E	03	SESW	40.000	50	1	4.00
● NORRILL INC	64-005-1965	40	05E	13	SWNW, PART OF	36.100	50	1	3.61
● NORRILL INC	64-005-1965	40	05E	13	SENE, PART OF	39.970	50	1	4.00
● WEBER, WILLIAM P ETAL	64-004-1963	40	05E	33	SENE	40.000	50	1	4.00

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COUNTY: VILAS									
MUNICIPALITY: LAC DU FLAMBEAU (T)									
● PUKALL LUMBER CO	64-001-1971	40	06E	18	NWSE	40.000	50	1	4.00
● PUKALL LUMBER CO	64-001-1971	40	06E	18	SWSE	40.000	50	1	4.00
● PUKALL LUMBER CO	64-001-1971	41	05E	20	NWSW	40.000	50	1	4.00
● PUKALL LUMBER CO	64-001-1971	41	05E	20	SWSW	40.000	50	1	4.00
● FRANCOIS, JOSEPH	64-004-1978	41	05E	27	SESW	37.000	50	3	61.42
● ANDRUCZYK, DAVID D	64-003-1973	41	05E	30	NENE	40.000	50	3	66.40

TOTAL ACRES FOR TOWN

1,469.330

Entry Codes: 1 = Entered before 1972. Acreage Share Tax \$0.10/acre. DOR code is 1.
2 = Special Class. Acreage Share Tax \$0.20/acre. DOR code is 3.
3 = Entered after 1971. Acreage Share Tax \$1.66/acre. DOR code is 2.

LANDOWNER	ORDER NUMBER	TWN	RNG	SEC	DESCRIPTION	ACRES OPEN	ACRES CLOSED	CON-TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: ONEIDA	MUNICIPALITY: MINOCQUA (T)									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SWNE	40.000	0.000	50	1	33.20
	PIN: 2073									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SWNW	40.000	0.000	50	1	33.20
	PIN: 2077									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SENW	40.000	0.000	50	1	33.20
	PIN: 2078									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	NESW	40.000	0.000	50	1	33.20
	PIN: 2079									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SESW	40.000	0.000	50	1	33.20
	PIN: 2082									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	NESE	40.000	0.000	50	1	33.20
	PIN: 2083									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	NWSE	40.000	0.000	50	1	33.20
	PIN: 2084									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SWSE	40.000	0.000	50	1	33.20
	PIN: 2085									
TOMAHAWK TIMBERLANDS LLC	44-042-1998	39	05E	36	SESE	40.000	0.000	50	1	33.20
	PIN: 2086									
TOMAHAWK TIMBERLANDS LLC	44-024-1992	39	05E	36	SENE, PART OF	37.000	0.000	50	1	30.71
	PIN: 2074									
TOMAHAWK TIMBERLANDS LLC	44-008-1993	39	05E	36	NWSW, PART OF	16.000	0.000	50	1	13.28
	PIN: 2080-1									
SCOTT, DONALD	44-043-1994	39	06E	06	SWSE	0.000	40.000	25	1	78.00
LARMON, E J ETAL	44-011-1988	39	06E	07	NWNW, PART OF	0.000	17.000	25	1	33.15
TILTON, JOHN E ETAL	44-048-2002	39	06E	08	GOV LOT 5, PART OF	0.000	26.500	25	1	51.68
	PIN: MI 2134									
TILTON, JOHN E ETAL	44-048-2002	39	06E	17	NWNE	0.000	40.000	25	1	78.00
	PIN: MI 2236									
LANDOWSKI, MICHAEL J ETAL	44-202-2007	39	06E	18	NENE	0.000	40.000	50	2	291.20
	PIN: MI 2251									
LANDOWSKI, MICHAEL J ETAL	44-202-2007	39	06E	18	NWNE	0.000	40.000	50	2	291.20
	PIN: MI 2252									
MARGITAN, JOHN B ETAL	44-019-1994	39	06E	18	FR S1/2 W1/2 SW1/4	0.000	29.970	25	1	58.44
LAFRENIER, ROBERT W ETAL	44-023-1987	39	06E	18	SWNW, PART OF	0.000	26.000	25	1	50.70

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LANDOWNER	ORDER NUMBER	TWN	RANGE	SEC	DESCRIPTION	ACRES	CON- TRACT	ENTRY CODE	TOTAL TAX \$
COUNTY: ONEIDA									
MUNICIPALITY: MINOCQUA (T)									
TYLER, DANIEL K ETAL	44-006-1970	38	04E	15	NWSE	40.000	50	1	4.00
	PIN: MI 235								
TYLER, DANIEL K ETAL	44-006-1970	38	04E	15	SWSE	40.000	50	1	4.00
	PIN: MI 236								
K T LAND HOLDINGS L L C	44-022-1978	38	04E	17	SWNW	40.000	50	3	66.40
	PIN: 260								
K T LAND HOLDINGS L L C	44-022-1978	38	04E	17	NWSW	40.000	50	3	66.40
	PIN: 263								
SCHLECHT, DANIEL W ETAL	44-006-1978	38	05E	07	SWNE	40.000	50	3	66.40
ZILLMAN, DAVID C ETAL	44-001-1966	39	04E	07	SWNW	33.950	50	1	3.40
ALLEY, BRUCE S ETAL	44-002-1966	39	04E	07	NWSW	33.250	50	1	3.33
H C 100 L L C	44-011-1985	39	04E	11	GOV LOT 3	38.200	50	3	63.41
	PIN: 667								
SWIMMING BEAR CO INC	44-004-1966	39	04E	16	SENE	40.000	50	1	4.00
SWIMMING BEAR CO INC	44-001-1968	39	04E	16	SWSE	40.000	50	1	4.00
SWIMMING BEAR CO INC	44-004-1966	39	04E	16	GOV LOT 03, PART OF	40.000	50	1	4.00
TYLER, DANIEL K ETAL	44-010-1984	39	04E	24	NWSE	40.000	50	3	66.40
	PIN: MI 874								
PATTERSON BROS INC	44-006-1966	39	05E	04	NESE	40.000	50	1	4.00
PATTERSON BROS INC	44-006-1966	39	05E	04	NWSE, PART OF	33.760	50	1	3.38
BADGER I I LIMITED PARTNERSHIP	44-013-1983	39	05E	09	NWSE	40.000	50	3	66.40
	PIN: 1697								
BADGER I I LIMITED PARTNERSHIP	44-013-1983	39	05E	09	SWSE	40.000	50	3	66.40
	PIN: 1698								
EVERETT G BROOKS REVOC TR	44-001-1970	39	05E	20	NESE	40.000	50	1	4.00
H R REZAZADEH & E E MYERS TRUST	44-008-1970	39	05E	24	SESW	40.000	50	1	4.00
	PIN: MI 1893								
H R REZAZADEH & E E MYERS TRUST	44-008-1970	39	05E	26	NENE	40.000	50	1	4.00
	PIN: MI 1913								
PUKALL LUMBER CO	44-003-1971	39	06E	06	NESE	40.000	50	1	4.00
PUKALL LUMBER CO	44-003-1971	39	06E	06	NWSE	40.000	50	1	4.00
KOZEY, GERALD ETAL	44-021-1976	39	06E	18	SWSE	40.000	50	3	66.40
	PIN: 2265								
KOZEY, GERALD ETAL	44-021-1976	39	06E	18	SESE	40.000	50	3	66.40
	PIN: 2266								

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COUNTY: IRON MUNICIPALITY: SHERMAN (T)										
STEIGER LUMBER CO	26-066-2003	41	04E	08	SWSW PIN: 20-1174-0000	40.000	0.000	25	1	33.20
WINN, ROBERT L ETAL	26-013-2005	41	04E	17	SWSE PIN: 20 1241-0000	0.000	40.000	25	2	291.20
PETERS, GERALD J ETAL	26-203-2004	41	04E	19	SWSE PIN: 20 1257-0000	0.000	40.000	25	1	78.00
INVERSCO	26-022-1995	41	04E	19	SESE	0.000	40.000	50	1	78.00
DESIGN SERVICES	26-031-2005	41	04E	20	GOV LOT 3 PIN: 20-1271-0000	0.000	28.800	50	2	209.66
RESEARCH PLANNING	26-033-2005	41	04E	20	NWSW PIN: 20 1268-0000	0.000	40.000	50	2	291.20
FACTORY MUTUAL SERVICES	26-019-1995	41	04E	20	NENW, PART OF	0.000	29.000	25	1	56.55
INDUSTRIAL SERVICES	26-021-1995	41	04E	20	GOV LOT 1, PART OF	0.000	8.000	50	1	15.60
DESIGN SERVICES	26-031-2005	41	04E	20	GOV LOT 2, PART OF PIN: 20 1270-0100	0.000	14.000	50	2	101.92
● LAC DU FLAMBEAU BAND OF CHIPPEWA	26-030-2004	41	04E	26	SENE, PART OF	17.000	0.000	25	1	14.11
● LAC DU FLAMBEAU BAND OF CHIPPEWA	26-030-2004	41	04E	26	NESE, PART OF PIN: 20 1319-0000	12.000	0.000	25	1	9.96
● LAC DU FLAMBEAU BAND OF CHIPPEWA	26-030-2004	41	04E	26	NWSE, PART OF PIN: 20 1321-0000	18.000	0.000	25	1	14.94
INDUSTRIAL SERVICES	26-021-1995	41	04E	29	GOV LOT 1 PIN: 20 1322-0000	0.000	35.300	50	1	68.84
INVERSCO	26-022-1995	41	04E	29	NENE, PART OF	0.000	19.000	50	1	37.05
INDUSTRIAL SERVICES	26-021-1995	41	04E	29	GOV LOT 2, PART OF	0.000	11.600	50	1	22.62
WOODY, JAMES H ETAL	26-034-2004	41	04E	30	NENE PIN: 20 1349-0000	40.000	0.000	25	1	33.20
PETERS, GERALD J ETAL	26-203-2004	41	04E	30	NWNE PIN: 20 1350-0000	40.000	0.000	25	1	33.20
PETERS, GERALD J ETAL	26-203-2004	41	04E	30	SWNE PIN: 20 1351-0000	0.000	40.000	25	1	78.00
WOODY, JAMES H ETAL	26-035-2004	41	04E	31	NWNE PIN: 20 1366-0000	40.000	0.000	25	1	33.20
PLISKA, MICHAEL B ETAL	26-205-2004	42	03E	23	NENW PIN: 20 1017-0000	0.000	40.000	25	1	78.00

COUNTY: IRON	MUNICIPALITY: SHERMAN (T)									
TOMAHAWK HIGHLANDS L L C	26-010-1971	41	04E	09	NWNW	40,000	50	1	4.00	
		PIN: 1185								
TOMAHAWK HIGHLANDS L L C	26-010-1971	41	04E	09	SWNW	40,000	50	1	4.00	
		PIN: 1186								
TOMAHAWK HIGHLANDS L L C	26-010-1971	41	04E	09	SESW	40,000	50	1	4.00	
		PIN: 1187								
STEIGER LUMBER CO	26-009-1971	41	04E	09	NESW	40,000	50	1	4.00	
TOMAHAWK HIGHLANDS L L C	26-010-1971	41	04E	09	NESE	40,000	50	1	4.00	
		PIN: 1190								
TOMAHAWK HIGHLANDS L L C	26-010-1971	41	04E	09	SESE	40,000	50	1	4.00	
		PIN: 1193								
KRONBERGER, ROLAND ETAL	26-005-1971	41	04E	17	NWNE	40,000	50	1	4.00	
STEIGER LUMBER CO	26-009-1971	41	04E	18	NENE	40,000	50	1	4.00	
🍷 LAC DU FLAMBEAU BAND OF CHIPPEWA	26-001-1971	41	04E	25	NWSW	40,000	50	1	4.00	
		PIN: 020 1315-0000								
🍷 NATURE CONSERVANCY OF WI	26-004-1981	42	02E	34	SWSW	40,000	50	3	66.40	
🍷 WILSON, JEFFREY M	26-003-1976	42	03E	33	NWNE	40,000	50	3	66.40	

3,010,840

12,767,170

TOTAL ACRES FOR TOWN

TOTAL ACRES FOR COUNTY

Entry Codes: 1 = Entered before 1972. Acreage Share Tax \$0.10/acre. DOR code is 1.
2 = Special Class. Acreage Share Tax \$0.20/acre. DOR code is 3.
3 = Entered after 1971. Acreage Share Tax \$1.66/acre. DOR code is 2.

Attachment BC



Wisconsin Water Quality Report to Congress 2000

Department of Natural Resources Wisconsin

Bureau of Watershed Management

PUB-WT-254-2000

cranberry reservoirs. The increased temperatures, especially if added to other factors resulting in habitat degradation, can adversely affect trout streams. To address this issue, the cranberry industry is working cooperatively with the WDNR to evaluate how the use of bottom-draw dams may help mitigate these adverse temperature impacts.

Water Quantity Impacts

Surface waters are the primary source for water used for irrigation, frost protection, winter flooding and harvest by the cranberry industry. In spring when water levels are generally high, cranberry operations discharge excess water into receiving waters. In summer drought and in the fall, cranberry beds are irrigated or flooded, reducing the amount of available water to nearby waters. The timing of diversions from, and discharges to waterways, can increase water level fluctuations in some waterbodies beyond what would normally occur. Diversion of water from a stream may temporarily reduce downstream flows, potentially resulting in increased temperatures and reducing suitable habitat for existing aquatic life. Increased use and storage of water in cranberry operations located upstream of managed wildlife areas may decrease water supplies to associated waterfowl impoundments.

As the demand for a limited water supply increase for various users, conflicts have also begun to rise. Cranberry growers have worked to improve water use efficiency through management and technological advances, especially with sprinkler systems. Some growers also recycle and reuse water.

The public and other industries have expressed concerns over reservoir management that cause flooding to adjacent properties. Since water diversion laws are not applicable to cranberry operations, dams are not regulated by the WDNR and cranberry growers work directly with neighbors to address these concerns. Creation of reservoirs often necessitates the construction of dams on natural streams. These dams may impede fish migration to spawning areas, thus reducing reproductive success of certain species of fish.

Wetland Impacts

Historically, wetlands were lost when cranberry beds, ditches, dikes and roads replaced natural sedge meadows, bogs and shrub and forested swamps. Cranberry beds in Wisconsin currently occupy approximately 15,000 acres of former wetlands. In addition, the industry has about 23,000 acres of reservoirs statewide, and much of this acreage is former wetlands. The wetland loss associated with the industry is a small percentage of the total historic loss. Wisconsin lost about 5.3 million acres of wetlands from all causes, including other forms of agriculture.

Cranberry cultivation accounts for a substantial portion of permitted wetland losses in recent decades. In a study of wetland losses and impacts authorized by the U.S. Army of Corps of Engineers, 97 individual permits were issued for wetland fills for cranberry operations from 1982 to 1989. This amounted to 4,986 acres of wetland impact. During that same time period, the total wetland loss authorized by all other individual permits was 9,247 acres. In 1991, Wisconsin established wetland rules that allowed for better protection of wetlands. This has resulted in a reduction of wetland losses from cranberry expansion and from other industries. Although the cranberry industry has continued to expand into wetlands, cranberry growers are increasingly avoiding wetland impacts. Much of the recent expansion has been into upland areas. Since the wetland rules were established, approximately 284 acres of wetland loss have been authorized for cranberry activities.

In addition to direct losses of wetlands, wetlands may be indirectly lost or degraded through hydrologic changes when cranberry growers ditch, dike and divert surface waters through wetlands. For example, much of the area flooded by reservoirs was wetland before it was flooded. Sedge meadow, floodplain forest, conifer swamp and conifer bog complexes



Wetlands provide important habitat for many wildlife species.

have been converted to open water marsh. Flooding of natural communities eliminates habitat and can result in species displacement or elimination. Since permits are not always required for reservoir construction, these indirect losses and impacts have not been quantified.

Although reservoirs may flood out important wetland community types, they may also create or enhance wetland and surface water habitat. Many reservoirs provide important habitat for fish, such as largemouth and smallmouth

bass, northern pike and for wildlife species such as ducks, geese, herons, sandhill cranes, ospreys and bald eagles. Many cranberry growers encourage wildlife use of property by erecting wood duck nesting boxes and eagle, goose and cormorant nest platforms, installing fish aerators, planting food plots and harvesting timber to enhance wildlife habitat. However, because the primary purpose of the reservoir is to provide water for cranberry cultivation, water fluctuations can occur which may be harmful to aquatic and wildlife species.

Cranberry beds are intensively managed to support a single wetland plant species, which essentially eliminates the natural biodiversity of wetlands. No structural diversity and little cover are available for wildlife habitat. Wildlife species are discouraged from using cranberry beds. Studies of cranberry operations have generally shown little wildlife habitat remains in the intensively used beds, ditches, dikes and road areas. However, a substantial portion of "support lands" owned by cranberry operations is left relatively undisturbed, and continues to serve as important wildlife habitat.

Impacts Associated with Riparian Development

The addition of nutrients and sediments from near-shore developments to lakes can seriously impair water quality. Prevention of nutrient and sediments from reaching lakes is the rationale behind shoreline zoning regulations. The state, for example, requires a minimum setback from lakes for dwellings and has restrictions on cutting, grading and filling in the shoreline zone. Recently, some Wisconsin counties are requiring further restrictions and buffers between lakes and any developments. There are, however, very limited data to support the effectiveness of vegetative buffer zones on reducing nutrient and sediment loads to lakes. County zoning regulations and WDNR field staff need scientific support to respond to challenges and make reasonable decisions on the effectiveness of buffer stripes and zoning regulations.

Research studies were conducted at six sites during the fall of 1999 on lake front properties in Vilas and Forest Counties. The sites varied in their vegetative cover (forested versus lawn versus shrubs) between developed properties and the lake. Water samples from surface runoff and groundwater was collected during storm events for nutrients and sediments. The USGS and the WDNR are conducting the study.

Only samples from the fall 1999 runoff events have been analyzed thus far. Preliminary results suggest the forested buffer strips had a higher yield coefficient for nutrients than the lawns during the late fall runoff. The project will continue through the next two summers.

Attachment BD





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

George E. Mayer
Secretary

North Central District Headquarters
P. O. Box 818
Rhinelander, Wisconsin 54501
TELEPHONE 715-365-8900
TELEFAX 715-365-8932

May 17, 1995

File Ref: 95-02697-IP-MOK

U. S. Environmental Protection Agency
Wetlands and Watershed Section
77 West Jackson Boulevard (WQW-16J)
Chicago, Illinois 60604-3590

To Whom It May Concern:

The Wisconsin Department of Natural Resources has reviewed the Corps application for a permit to expand the Teske Rayala Cranberry Marsh located in the SW 1/4 NE 1/4 of Section 5, Twn. 41 N., Rng. 6 E., Vilas County, Wisconsin.

Comments:

The Department conducted an onsite investigation relative to the construction of the proposed road in the wetland adjacent to Great Corn Lake. It was determined that no practicable alternative exists and the wetlands functional values will not be adversely affected. The road project must be constructed in a manner as to prevent upland soil losses and sediment deposition into the wetland. Every effort should be made to stabilize the road and embankments using riprap, sod and/or seeding where necessary.

The two proposed channels (70 feet by 90 feet) excavated on the bed of Great Corn Lake have been evaluated by the fish and wildlife managers and no concerns were found. The shoreline at the sites are comprised of sand substrate and loss of spawning habitat will be minimal. The channels would be dug deep enough to preclude winter kill and there would be minor loss of wildlife habitat. Sides of the dredged area should have no less than a 4:1 slope in the littoral areas to protect public health and safety. All necessary erosion control steps should be taken on the upland slopes, both adjacent to the waterway and connected ditches to prevent any soils from reaching the lake.

Water Quality Impacts:

Bob Young, DNR District lake management coordinator, and I reviewed the application for water quality concerns. Great Corn Lake is a small lake with a surface area of 32 acres and historically had quite clear water. We have very little water quality data for this lake but on July 8, 1960, the Secchi disc clarity was 13 feet. The land surface drainage area to the lake was less than 46 acres before the existing cranberry beds were developed. The cranberry

development constitutes a major change in watershed character. We feel that direct discharge of nutrients by the cranberry beds will decrease water clarity, increase algae production and accelerate aging of the lake.

Since we don't have historical nutrient data for Great Corn lake we used the "most likely" loading rates from the Wisconsin Lake Model Spreadsheet to estimate the total watershed and atmospheric phosphorus load to the lake. We estimate the average annual phosphorus load to the lake to have been 8.67 kilograms prior to cranberry development. Although we don't know the exact size of the existing cranberry beds we estimate they total 40 acres which would annually deliver 10.9 kg of phosphorus. The addition of 23 more acres is likely to discharge another 6.3 kg of phosphorus to the lake each year. This could result in a 289% increase in phosphorus load to Great Corn Lake compared to conditions previous to discharge. The phosphorus loading rates are based on past monitoring of other cranberry farms in northern Wisconsin which annually averaged 0.6 pounds of phosphorus discharge per acre of cranberry bed.

We used Reckhow's natural lakes model and the phosphorus loading predictions to estimate the impact to water clarity. The model predicts a secchi disc water clarity decrease to 8.3 feet due to the existing cranberry discharge (compared to the historical 13 feet) and further reduction to 7.2 feet by the proposed addition of 23 acres of cranberry beds. We expect these cranberry bed discharges to cause significant degradation of water quality in Great Corn Lake.

We are also concerned about the likely discharge of pesticides to Great Corn Lake. Although we cannot predict the impacts to aquatic life from these pesticides we do know some will get to the Lake.

Literature Cited:

Reckhow, K. H., 1979. Uncertainty applied to Vollenweider's phosphorus criterion. *J. Water Poll. Cont. Fed.* 51, 2123-2128.

Panucka, J.C., and Wilson, A. D., 1994. Wisconsin Lake Model Spreadsheet. FWSL-WR-367-94, Wisconsin Dept. of Natural Resources, Lakes Management Program

If you have any questions please call me at 715-365-8971.

Sincerely,

William C. Jaeger
Water Quality Biologist

cc: Mike O'Keefe - Corps of Engineers, Plover
Larry Wawronowicz, Tribal Office, Box 67, Lac du Flambeau, WI. 54538
John Bryant - AD/5
Jack Smith - Woodruff
Ron Spry - USIWS - GB
Dale Lang - Rhinelander
Dale Simon - WZ/6
Pat Trochlell - WR/2
Bob Young - Rhinelander
Tusko Rayala Cranberry Co., 4678 Hwy 51 N. Woodruff, WI. 54568

Attachment BE



Corps File #	Applicant's Name	Location-STR	Waterway/wetland	Project Description
2006-4995	Town of Lac Du Flambeau	26, 40N, 5E	Fence Lake Channel	dredging
2005-6855	Alex Gawron	34 & 35, 40N, 5E	ditch between Lucy & David Lakes	access road
2005-2620	Kevin Kurek	36, 41N, 5E	White Sand Lake	bank stabilization
2005-1458	Tom Savage	22, 40N, 5E	Fence Lake	bank stabilization
2005-1445	Richard Doolittle	25, 40N, 5E	Gunlock Lake	bank stabilization
2004-4807	Charles Merritt	28, 41N, 5E	Pokegama Lake	bank stabilization
2004-4534	Brent Wholeben	6, 40N, 5E	Flambeau Lake	bank stabilization
2004-332	Mike Heinzen	17, 40N, 5E	Crawling Stone Lake	bank stabilization
2004-331	Bernard Alberts	36, 41N, 5E	White Sand Lake	bank stabilization
2004-2316	Bill Hanser	28, 40N, 5E	Crawling Stone Lake	bank stabilization
2004-2239	Donnel Gabower	30, 41N, 6E	unnamed waterbody	fish cribs
2004-160430	Vilas County Highway Dept.	8, 40N, 5E	wetlands adj. to Moss & Interlaken Lks	fill material
2004-160230	Paul Lopez	24, 40N, 5E	wetlands	access road
2003-824	James Bergacker	24, 40N, 5E	Fence Lake	bank stabilization
2003-791	Larry Zerante	11, 40N, 5E	Fence Lake	bank stabilization
2003-7667	Edward Hofert	28, 40N, 5E	Crawling Stone Lake	bank stabilization
2003-7365	Norman Crawford	26, 40N, 5E	Wyandock Lake	fish cribs
2003-7304	Alfred Vermiglio	4, 41N, 5E	Rest Lake	bank stabilization
2003-7195	Jack Miller	29, 40N, 5E	Little Crawling Stone Lake	bank stabilization
2003-6074	Pete Hessert	23, 40N, 5E	Fence Lake	bank stabilization
2003-5290	Bill's Lake Prop. Owners	22, 40N, 4E	Bills Lake	fish cribs
2003-1731	Joan Roth	14, 40N, 5E	Fence Lake	bank stabilization
2003-1571	Mark Dabroski	22, 40N, 5E	Fence Lake	bank stabilization
2003-1137	Dennis Robertson	29, 41N, 5E	White Sand Lake	bank stabilization
2003-1112	Dave Helgeson	23, 40N, 4E	Tippecanoe Lake	bank stabilization
2003-1108	Eugene Wenzel	11, 40N, 5E	Fence Lake	bank stabilization
2002-8585	David Peterman	22, 41N, 5E	White Sand Lake	bank stabilization
2002-8250	Town of Lac Du Flambeau	26, 40N, 5E	unnamed ditch	erosion control
2002-7712	Band of Lac du Flambeau	14, 40N, 4E	wetlands adj. to Flambeau Lake	logging road
2002-7344	Edward Fox	29, 40N, 5E	Little Crawling Stone Lake	bank stabilization
2002-6879	Jim Cornelius	13, 40N, 4E	Flambeau Lake	bioengineering project
2002-6539	Donna Balciar	19, 40N, 5E	Crawling Stone Lake	bank stabilization
2002-4228	WDOT	7, 40N, 5E	wetlands adj. to Long Interlaken Lake	road improvement
2002-2839	Timothy Landwehr	36, 40N, 5E	Shishebogama Lake	Res. Development
2002-2767	Jim Vrstiak	35, 40N, 5E	Gunlock Lake	storage fill
2002-2486	Tim Friedrich	20, 41N, 5E	wetlands adj. to Middle Sugarbush Lake	access road

2002-4228	WDOT	7, 40N, 5E	wetlands adj. to Long Interlaken Lake	road improvement
2002-349	Lee Carey	27, 41N, 5E	wetlands adj. to White Sand Lake	road fill
2002-3175	Band of Lac du Flambeau	32, 40N, 5E	wetlands	utility line
2002-3155	Mark Millen of Coldwell Banker	2, 40N, 5E	wetlands adj. to Fence Lake	Res. Development
2002-2839	Timothy Landwehr	36, 40N, 5E	Shishebogama Lake	Res. Development
2002-2767	Jim Vrstiak	35, 40N, 5E	Gunlock Lake	storage fill
2002-2486	Tim Friedrich	20, 41N, 5E	wetlands adj. to Middle Sugarbush Lake	access road
2002-1381	Tom Gabel	18, 41N, 5E	Lower Sugarbush Lake	Res. Development
2002-1344	David Windmuller	17, 41N, 5E	Middle Sugarbush Lake	Res. Development

Attachment BF





DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS

190 FIFTH STREET EAST

ST. PAUL, MN 55101-1638

MAR 9 2005

REPLY TO
ATTENTION OF

Operations Division
Regulatory (03-7667-MOK)

Edward and Carol Hofert
602 South Na-Wa-Ta Avenue
Mt. Prospect, Illinois

Dear Mr. and Mrs. Hofert:

We have reviewed your permit application to discharge approximately 23 cubic yards of rock riprap, 16 cubic yards of earthen fill, and 52 square yards of geo-textile fabric within a 23-foot long by 10-foot wide section of your Crawling Stone Lake shoreline in order to stabilize a severely eroded area. The project site is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T. 40N., R. 5E., Vilas County, Wisconsin.

This work is authorized under the provisions of GP/LOP-98-R. This work shall be completed under frozen conditions, on top of the ice, as described in the enclosed plans that were provided by the Vilas County Land and Water Conservation Department, Labeled 03-7667-MOK, pages 1 of 5 through 5 of 5, which are hereby incorporated as part of this Letter of Permission. No work shall be done in Crawling Stone Lake or on the lakebed.

If your project will require off-site fill material that is **not** obtained from a licensed commercial facility, you must notify us at least five working days before start of work. A cultural resources survey may be required if a licensed commercial facility is not used.

This action is based upon the recommendation of the Chief of Engineers and under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344). The authorization is subject to the enclosed General and Standard Conditions.

Additionally, the following special conditions are part of this authorization:

1. You are required to retain the services of a qualified archeologist to monitor all demolition-construction activities at the site. The archeologist shall monitor activities at the site to ensure that no archeological resources are affected by your project. The Lac du Flambeau band of the Chippewa Indians has a staff archeologist that can provide this type of service. If you are interested in retaining her services, please contact Cindi Stiles at (715) 588-2270. We have also included a listing of archeologists who have the capability of performing this work. As specified under paragraph 24, in the attached Standard Conditions, if any cultural, archeological, or historical resources are unearthed during the construction of your project, all work shall stop immediately, and you must notify Ms. Kelly Jackson, the tribal Historic Preservation officer, at (715) 588-2139, and obtain further instructions.
2. You shall comply with the Vilas County Land and Water Conservation Department construction conditions, as listed in the enclosed plans.

3. You, or your contractor, shall notify Gretchen Watkins of the Tribal Natural Resources Department 5 days prior to the commencement of project activities, and within 5 days of completing the project at (715) 588-3303.
4. You, or your contractor, shall notify Ms. Kelly Jackson, the Tribal Historic Preservation Officer, 5 days prior to the commencement of project activities, and within 5 days of completing the project at (715) 588-2139.

The time limit for completing this authorized work ends two years from the date of this letter. This Federal authorization does not obviate the need to obtain other Federal, state or local authorizations required by law.

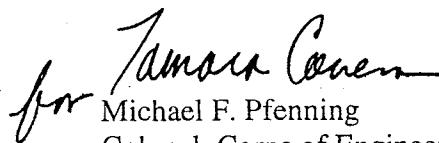
If you disagree with the enclosed jurisdictional determination, you may provide new information. Please follow the directions in Section D of the enclosed Notification of Administrative Appeal Options and Process and Request for Appeal.

If this letter of permission is not acceptable and you would like to appeal the permit decision, please follow the directions in Section A of the enclosed Notification of Administrative Appeal Options and Process and Request for Appeal.

The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision.

If you have any questions, contact Michael F. O'Keefe in our Stevens Point field office at (715) 345-7911. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


for Michael F. Pfenning
Colonel, Corps of Engineers
District Engineer

Enclosures

Copy furnished to:

Jayne Wade, WDNR Woodruff Area Office

Dawn Schmidt, Vilas County Zoning, Eagle River, WI.

Sue Ackland, Lac du Flambeau Zoning

✓ Gretchen Watkins, Lac du Flambeau Tribe

Kelly Jackson, Tribal Historic Preservation Officer, Lac du Flambeau Tribe

Attachment BG



Environmental Issues & Concerns

There are a number of issues that are of particular concern to Wisconsin's aquatic environment that are summarized in this section.

Environmental Issues Related to Cranberry Production



With proper management practices, environmental impacts of cranberry cultivation can be reduced.

Cranberry cultivation is an important and growing industry in Wisconsin. As with any agricultural practice, environmental impacts can occur. Cranberry cultivation has the potential to impact surface water quality, alter water levels in lakes and streams, and cause the loss of wetlands. With the industry's intensive use of water and the application of fertilizers and pesticides in a wet environment, impacts to streams and lakes can be more direct than for other agricultural operations. The cranberry industry is working on best management practices and other methods to better protect surface waters and wetlands.

Authority for the WDNR to regulate cranberry operations is limited by exemptions in state laws. Because of a law adopted in 1867, commonly referred to as the "Cranberry Law," cranberry growers are exempt from having to obtain state permits for many of the activities that result in physical alterations to lakes and streams, including diverting irrigation water, ditching and the construction of dams.

Water Quality Concerns

Studies of several northern lakes located downstream from cranberry operations have shown increased levels of nutrients and phosphorus. The increased nutrients can cause excessive weed and algae growth and reduce dissolved oxygen in downstream surface waters.

Increased sediment loads to adjacent waters can occur during construction, ditch maintenance activities, and from eroding dikes, resulting in turbidity and sedimentation. Discharges of sediments to sensitive wetlands and trout streams are of particular concern.

There is the potential for pesticides applied to cranberry beds to be discharged to downstream surface waters or wetlands. Several studies have found pesticides in waters receiving cranberry bed discharges. Although these studies were conducted downstream of existing cranberry operations, no direct causal link has been established between the pesticides and the industry.

In response to the concerns about pesticide impacts, the cranberry industry has reduced the amount and frequency of their pesticide use through a program called Integrated Pest Management (IPM), reducing applications of pesticides by 25% in the last three years. Fifty-five percent of Wisconsin cranberry growers employ IPM programs. The industry is also researching the use of natural control agents as a means to address pest problems on crops.

Another water quality issue associated with cranberry cultivation is the potential for increased temperatures. Studies have found stream temperatures are elevated downstream of



DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

May 28, 2004

REPLY TO
ATTENTION OF:

Construction-Operations
Regulatory (04-01033-MOK)

Mr. Dave Hougan
2220 Silverthorn
Rockford, Illinois 61107

COPY

Dear Mr. Hougan:

This regards our January 21, 2004 letter which notified you that you have discharged fill material in wetlands lying adjacent to Muskesin Lake with a department of the Army permit.

On May 17, 2004, Michael O'Keefe from our Stevens Point field Office and Ms. Jayne Wade from the Wisconsin DNR - Woodruff Area Office, conducted a wetlands review of your property. Based on this review, it was determined that the area your access path crossed is a forested wetland. The path measured 93 feet long and has an average width of 10 feet. There is approximately 6 to 12 inches of fill lying above the wetlands surface. There is no culvert through the access path, hence the upstream side of the wetland was flooded at the time of the site review.

In considering this information, and after evaluating all of the other information that we have received from the Vilas County and Lac Du Flambeau Zoning offices, we have decided that no legal action will presently be initiated by the Corps of Engineers in this matter. Instead, you will be provided an opportunity to obtain a Department of the Army permit for the unauthorized activity. The after-the-fact permit process provides for a more comprehensive assessment of your project and will result in a final determination of whether or not your project satisfies the public interest criteria of the Corps regulatory program.

Department of the Army regulations at 33 C.F.R. 326.3(e) require that all applicants for after-the-fact authorizations provide a signed statute of limitations tolling agreement. This agreement specifies that the time spent in processing such an application, plus the time spent in any subsequent appeal of the permit decision, plus one additional year, shall not count toward the statute of limitations in this matter. Therefore, please sign and return the enclosed tolling agreement along with your permit application.

If the after-the-fact permit application is approved, your project will be duly authorized and our investigation file will be closed. If, however, your project is determined not to be in the public interest and the after-the-fact permit application is denied, the District Engineer is authorized to prescribe any

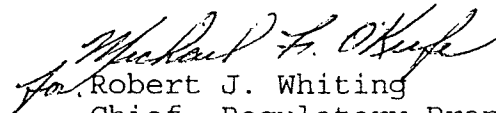
corrective actions deemed necessary with regard to the unauthorized work already accomplished, including restoration.

Enclosed is the required permit application, which must be completed and returned to this office by June 30, 2004.

The application drawings must indicate that portion of the project which has been completed and that portion which remains proposed.

If you have any questions, contact Mike O'Keefe in our Stevens Point (Plover) office at (715) 345-7911. In any correspondence or inquiries, please refer to the file number shown above.

Sincerely,


for Robert J. Whiting
Chief, Regulatory Branch

Enclosure(s)

Copies furnished:

U. S. Environmental Protection Agency
Jayne Wade, Wisconsin DNR Woodruff Area Office
Dawn Schmidt, Vilas County Zoning, Eagle River, WI.
Sue Ackland, Lac Du Flambeau Zoning
John Koss, Lac Du Flambeau Tribe, Water Resource Dept.

Attachment BH





**AGGREGATE ASSESSMENT OF SELECTED LOCATIONS ON
THE LAC DU FLAMBEAU INDIAN RESERVATION NORTH-
CENTRAL, WISCONSIN**

Eric Dillenbeck
&
Charlie Verdel

U.S. Bureau of Indian Affairs
Division of Energy and Mineral Resources
May 2002

EXECUTIVE SUMMARY

Under the Bureau of Indian Affairs FY2001 Mineral Assessment Program the Lac du Flambeau Band of the Lake Superior Chippewa Indians requested assistance to assess the amount and quality of sand and gravel on the Reservation. The Tribe's interest stems from a concern that their current gravel pit may be coming to the end of its useful life and a desire to know if sufficient aggregate resources exist on the Reservation to justify development of a road construction business. The BIA Division of Energy and Mineral Resources accepted this request and in September of 2001 28 five-gallon samples were collected from six sites on the Reservation. The sites included the Tribe's existing gravel pit and sites deemed prospective by the Tribe for aggregate resource development.

A representative suite of the samples underwent geologic, LA Abrasion, sulfate soundness, and grain size analyses to determine the suitability of the gravel for use in road construction and to identify the best pit site. WisDOT standards were assumed to be the most applicable aggregate specifications and were used as a benchmark in this study. Geologic examination revealed no lithologic or alteration types that are cause for concern. Approximately 50 percent of the coarse aggregate (nominally 25 to 2.36 mm grains) contains at least one fractured face. The amount of thin and elongate grains, approximately 10 %, is an area of potential concern. LA Abrasion results are very encouraging. Losses for the nine samples tested ranged from 15 to 23 percent after 500 revolutions, well within the WisDOT standards of 45 to 50 % for aggregate used in pavements. Results of the sulfate soundness testing are also very encouraging. Losses for the nine samples tested were all less than four percent. The WisDOT maximum percent loss for pavement aggregate is 12 percent and 18 percent for road base. Grain size distribution is the critical factor in identifying the most prospective site for aggregate mining on the Lac du Flambeau Reservation. Several general trends can be recognized from the grain size analyses.

1. The amount of coarse aggregate definitely decreases in gravel five or so feet below the surface of the current gravel pit (Site 1 – Stump Pit).
2. When considering only the minus 25mm (1") fraction, the majority of the samples collected from all sites consist of more than 50% fine aggregate (nominally grains passing the 2.36mm (#8) screen) and, in general, the percent of fine aggregate increases with depth at most sites.
3. Significantly, the first three samples at Site 3 (Fire Tower Hill) contain much more coarse aggregate than the other locations, although the deepest sample at Site 3 is composed of 70% fine aggregate.
4. There is relatively little clay (-200#) in the LdF samples (averaging around five percent).

Based on these results and the geology map of Vilas County (Attig, 1985) the following conclusions are made:

- Gravel on the Reservation is of good quality for use in road base, and in pavements, if significant quantities of crushed grains are added.
- The critical factor for evaluating different sites is the amount of coarse and oversized grains. Areas immediately southwest (and perhaps northeast) of the Muskellunge ice-margin, such as Site 3, are the most prospective for thick (>10') deposits of coarse gravel.
- The amount of coarse aggregate in the gravel at the Stump Pit (Site 1) will decline significantly as mining reaches a few feet below the present surface but would marginally improve with continued mining.

- Site 4 has potential to host a significant aggregate resource, Sites 7 and 9 are deemed to have some potential, but thick accumulations of coarse gravel were not encountered in this area. Aggregate at Site 6 is mostly fine grained but areas southwest and northeast of Site 6 may be of interest.

The following recommendations are made to the Tribe:

- If the Tribe is interested in developing a commercial aggregate operation, not just supplying the Reservation's needs, studies to identify potential markets and a preliminary economic model should be undertaken. A critical factor will be transportation distances to likely markets; this may in part drive exploration for the best pit site. Of note is a rail line that crosses within a mile of Site 3. Undoubtedly, the abundance of naturally occurring gravel deposits in the region makes for a low profit margin market; however, the Tribe may have economic advantages over other producers.
- Site 3 – Fire Tower Hill – appears to be the most prospective site investigated to date, but the extent of the coarse gravel at the site is unknown, and it is suspected that the hill itself consists of dominantly fine grained material. Additional trenches would need to be dug to quantify the resource at the site prior to any further work.
- Because the thickest accumulations of coarse gravel are adjacent to the Muskellunge ice-margin, combining a current land status map with the geology map may indicate other Tribal properties that are highly prospective. One such plot is located 1/2 mile south of Site 3.
- A significant gravel resource exists within the first few feet at the Stump Pit. It is unknown how much gravel the Tribe is using on an annual basis but assuming it is logistically feasible to mine this relatively thin (3-5') layer, this resource may be sufficient to supply the Tribe for some time to come.

Attachment BI



Lac du Flambeau Tribal Water & Sewer Department
PO Box 67 Lac du Flambeau, WI. 54538
Ph. (715) 588-7887 Fax (715) 588-9349

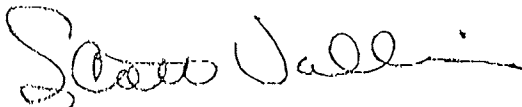
Gretchen Watkins
Tribal Water Resources Program
PO box 67
Lac du Flambeau WI. 54538

March 26, 2007

Dear Gretchen:

The Lac du Flambeau sewage lagoon includes four cells designed to operate in series. The primary cell is 18.4 acres in area. This cell is aerated with three Pond Doctor solar aeration units. The secondary cell is 10 acres in area. This cell is aerated with one Pond Doctor unit. The third and fourth cells are 5 acres in area each and are used as seepage cells. If needed, the fourth cell has an outlet structure that discharges to a forested lowland area. We have approximately 533 connections to the system. The majority are residential homes. The average design flow to the lagoon is approximately 180,000 gallons per day. The average flow to the lagoon currently is approximately 120,000 gallons per day. Our NPDES permit # is: WI-0036498. If you need additional or more specific information please call me at the above number.

Sincerely,



Scott Valliere, Tribal Water & Sewer Mgr.

Attachment BJ





United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

Form Approved
OMB No. 2050-0192
Expires 07-31-2009

PROPERTY PROFILE FORM—Brownfields

Public reporting burden for this collection of information is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Environmental Protection Agency, Office of Environmental Information, Code 2822T, Washington, DC 20460 and to the Paperwork Reduction Project, Office of Management and Budget, Washington, DC 20503. DO NOT RETURN your form to either of these addresses. Send your completed form to the address provided by the issuing office.

PART I - GRANT RECIPIENT INFORMATION

1. Grant Recipient Name (State/Tribe for Section 128(a) Grants; requestor/contractor for TBAs):
Lac du Flambeau Band of Lake Superior Chippewa Indians
2. Grant Number (contract number for TBAs):
RP-96559601-1
3. Type of Brownfields Grant (check only one box):
☐ Assessment
☐ Revolving Loan Fund
☐ Cleanup
☒ Section 128(a) - State and Tribal Response Program
☐ TBA (EPA Regions Only)
4. For Assessment, Cleanup, and Revolving Loan Fund grants, what type of funding is being used at the property?
☐ Hazardous
☐ Petroleum
☐ Both
5. Indicate if this form is the Initial or Updated Form:
☒ Initial Form
☐ Updated Form
6. Date:
10/24/2006

PART II - PROPERTY INFORMATION

Property Background Information

7. Property Name: Clear Lake Junkyard
- 8a. Street Address: 1222 W Clear Lake Road
- 8b. City: Lac du Flambeau Wisconsin
- 8c. State: WI 8d. Zip Code: 54538
9. Size (in acres): 34.33
10. Parcel Number(s): 10-1
- 11b. Current Owner: Lac du Flambeau Tribe
- 11a. Ownership Entity:
☒ Government (Tribal, State, Local)
☐ Private

Ownership & Superfund Liability (Mandatory for Cleanup and RLF Grants)

- 12a. During the life of the grant, did ownership change?
☐ Yes
☒ No
- 12b. If "yes," did Superfund federal landowner liability protections factor into the ownership change?
☐ Yes
☐ No
☐ Unknown

Property Geographic Information (EPA Brownfields Program, or its contractors, will provide complete latitude/longitude information if grant recipients are unable)

- 13a. Latitude (use 00.000000 format): 45.901767
- 13b. Longitude (use -000.000000 format): -89.9616
- 13c. Horizontal Collection Method: Global Positioning Method-Unspecified Parameters
- 13d. Source Map Scale Number (only if a map/photo was used):
- 13e. Reference Point (e.g., Center of Facility or Station): Entrance Point of a Facility or Station
- 13f. Horizontal Reference Datum (Choose one):
☐ NAD27-North American Datum of 1927
☒ NAD83-North American Datum of 1983
☐ WGS84-World Geodetic System of 1984

Property History Information (as available)

14. Property Description / History / Past Ownership:
Former Junkyard
15. Predominant Past Use(s) (check all that apply):
- | Type | Acreage | Type | Acreage |
|---|---------|-------------------------------------|---------|
| <input checked="" type="checkbox"/> Greenspace | | <input type="checkbox"/> Commercial | |
| <input checked="" type="checkbox"/> Residential | | <input type="checkbox"/> Industrial | |

PART III – ENVIRONMENTAL ASSESSMENT INFORMATION (mandatory for Assessment Grants, State & Tribal Property-Specific Assessments, and TBAs; as available for Cleanup and RLF grant recipients)

State & Tribal Property-Specific Assessments, and TBAs; as available for Cleanup and RLF grant recipients

Table A – Environmental Assessment Activity (If there are multiple assessments, please use a separate line for each assessment)

Environmental Assessment Detail			Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)					Name of Entity Providing Funds	Amount of Funding
Phase (Choose I, II, III)	Start Date	Completion Date	This US EPA Grant	Other Federal	State/Tribal (exclude \$128(a) funds)	Local Gov't	Private/Other		
I	10/3/2006		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	USEPA	\$2,000.00
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

16. Indicate whether cleanup is required: ☐ Yes ☐ No ☒ Unknown**Make sure to complete Part V – INSTITUTIONAL CONTROLS INFORMATION before submitting this Property Profile Form to your EPA Regional Representative****PART IV – CONTAMINANTS & MEDIA AFFECTED INFORMATION** (mandatory for all grant types)**Table B – Contaminants and Media Affected** (check all that apply)

Contaminants		
Class of Contaminant	Found	Cleaned Up
Petroleum/Petroleum Products	<input type="checkbox"/>	<input type="checkbox"/>
Controlled Substances	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>
VOCs	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>
Other Metals	<input type="checkbox"/>	<input type="checkbox"/>
PAHs	<input type="checkbox"/>	<input type="checkbox"/>
Other Contaminants	<input type="checkbox"/>	<input type="checkbox"/>

Media		
Media	Affected	Cleaned Up
Soil	<input type="checkbox"/>	<input type="checkbox"/>
Air	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water	<input type="checkbox"/>	<input type="checkbox"/>
Ground Water	<input type="checkbox"/>	<input type="checkbox"/>
Drinking Water	<input type="checkbox"/>	<input type="checkbox"/>
Sediments	<input type="checkbox"/>	<input type="checkbox"/>
No Media Affected	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>

No Contaminants ☐Unknown ☐**State & Tribal Brownfields/Voluntary Response Program Information**

17a. State & Tribal Program Enrollment (if the property was not enrolled in a state program, check Property Not Enrolled check box):

Date of Enrollment 7/3/2006 ID Number (if applicable) 224☐ Property Not Enrolled in a State or Tribal Program

17b. Date No Further Action/Cleanup Completion Document Issued

(If the property was not enrolled in a state or tribal program, leave blank):

Date: _____

PART V – INSTITUTIONAL CONTROLS INFORMATION (mandatory for all grant types)18a. Indicate whether Institutional Controls are required: ☐ Yes ☐ No

18b. If Institutional Controls were required, indicate the category (check all that apply):

☐ Proprietary Controls (e.g., easements, covenants)☐ Governmental Controls (e.g., zoning, building codes)☐ Informational Devices (e.g., state registries, deed notices)☐ Enforcement/Permit Tools (e.g., permits, consent decrees)

Address of Data Source (URL if available): _____

18c. Indicate whether Institutional Controls in place:

☐ Yes ☒ NoDate: 10/24/2006

PART VI – ENVIRONMENTAL CLEANUP INFORMATION (mandatory for Cleanup and RLF Grants and State & Tribal Property-Specific Cleanups; as available for Assessment Grants and TBAs)

19. Cleanup Activity Start Date: _____ 20. Cleanup Activity Completion Date: _____ 21. Acres Cleaned Up: _____

22. If EPA Brownfields funding was used, indicate the type and amount (If any non-EPA funding was used, fill out Table C):

Type	Amount	Type	Amount
<input type="checkbox"/> Cleanup Grant	_____	<input type="checkbox"/> RLF Subgrant	_____
<input type="checkbox"/> RLF Loan	_____	<input type="checkbox"/> Section 128(a) State/Tribal Grants	_____

Table C - Environmental Cleanup Leveraged Funding Detail

Source of Funding (Enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal (exclude §128(a) funds)	Local Gov't	Private/Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VII – REDEVELOPMENT AND OTHER LEVERAGED ACCOMPLISHMENTS (Mandatory for Assessment, Cleanup and RLF Grants; as available for State and Tribal Property Specific Activities and TBAs)

23. Redevelopment Start Date: _____ 24. Future Use and Estimated Acreage (check all that apply):

Type	Acreage	Type	Acreage
<input type="checkbox"/> Greenspace	_____	<input type="checkbox"/> Commercial	_____
<input type="checkbox"/> Residential	_____	<input type="checkbox"/> Industrial	_____

25. Number of Cleanup and Redevelopment Jobs Leveraged: _____

26. Actual Acreage(s) and Type(s) of Greenspace Created: _____

Table D - Funds Used to Perform Redevelopment Activities

Source of Funding (Enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal	Local Gov't	Private/Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VIII – ANECDOTAL PROPERTY INFORMATION (as available for all grant types)

27. Property Highlights: _____

Property Photograph Information

28. Indicate whether photographs are available: ☒ Yes ☐ No 29. Indicate whether video is available: ☐ Yes ☒ No

PART IX – APPROVALS

30. Grant Recipient Project Manager

Name (please print)

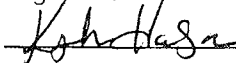
Ms. Kristen Hanson

31. US EPA Regional Representative

Name (please print)

Ms. Kelley Moore

Signature



Signature

Date

10/24/06

Date

Lac du Flambeau Band of Lake Superior Chippewa
Tribal Brownfields Program
Site Specific Eligibility Determination

1. Name of site	Clear Lake (Maki site)
2. Address of site	W. Clear Lake Rd., Lac du Flambeau WI
3. GPS Coordinates	N 45° 54.106" W 089° 57.696"
4. Will application for waiver of \$200,000 per site funding limit be submitted?	No. Tribe will be using 128(a) funds to do this work.
5. Is the site listed or proposed for listing on the NPL?	No
6. Is the site subject to administrative orders, court orders, etc., under CERCLA?	No
7. Land Jurisdiction	Tribal Land
8. Current owner	Lac du Flambeau Tribe
9. When did current owner become owner?	Early 1990's
10. Who was the site acquired from?	Arnie and Joyce Maki Former allotment
11. Is the site contaminated by petroleum products or hazardous substances?	Suspected because of the presence of junk cars, motors, drums and solid waste
12. What is the operational history of the site?	It was used as an illegal junk yard and auto repair for a number of years

13. What is the current usage of the site?	It is abandoned, and waiting to be turned into trust land by BIA
14. Identify environmental concerns, if known.	Illegal dumping, house wells adjacent to the property, also adjacent wetlands and a State Natural Area (Old Growth Hemlock Forest)
15. Is the site a petroleum site?	No
16. Explain the phase of assessment, if any, that has been completed to date. Provide dates.	A contaminant survey was conducted by the Tribal Land Management Dept in 2003 Car parts, tires and containers were found.
17. How did the site become contaminated including the extent and nature of contamination?	Former owner allowed illegal junk yard operation, and illegal dumping to occur
18. Identify known ongoing or anticipated environmental enforcement actions.	None- Previous owner/operator deceased
For sites not owned by the Tribe	
19. Describe relationship with the owner.	N.A.
20. Describe owners role in work to be performed	N.A.
21. Describe how the Tribe will gain access to the site	N.A.
For sites owned by the Tribe	
22. Describe how the Tribe took ownership of the site	Through purchase of allotted land in 1990's

23. Did all disposal of hazardous substances occur before the Tribe owned the property?	yes
24. Describe inquiry into previous ownership.	Previous owner is deceased
25. Describe usage of the site, past and present.	Prior to the tribe acquiring this allotment, auto repair and illegal junk yard activities took place. The site is currently an abandoned junkyard. There is adjacent residential property.
26. Describe any liability the Tribe may have.	Tribe did not contribute to the disposal of materials at the site
27. Identify any known parties who may be potentially liable	Previous owners (Former owner deceased)
28. Describe appropriate care the Tribe exercised with respect to hazardous substance found at the site.	None found any yet, pending assessment
29. Will the Tribe comply with all land use restrictions, institutional controls, assist and cooperate with those performing cleanup, provide access to the property, comply with all information requests, and provide all legally required notices.	Yes
30. What is the purpose of this assessment? Does the Tribe plan on redeveloping or reusing the property? Did a Tribal member request this assessment?	Return to green space and hunting/ gathering land. Also return land to trust.
For petroleum contaminated properties	Note the Tribe will provide information and documentation in a narrative form regarding the below four questions so that EPA can make the site eligibility determination for petroleum contaminated properties.

31. Is the site of relatively low risk within the State and the reservation?	N.A.
32. Is there a viable responsible party as defined in the CERCLA 104(k) grant guidelines for the year in which the Tribe was awarded this funding?	N.A.
33. Will the site be assessed, investigated or cleaned up by a liable party?	N.A.
34. Are there any outstanding orders on the site?	N.A.

Kristen Hanson

From: Moore.Kelley@epamail.epa.gov
Sent: Monday, July 03, 2006 4:19 PM
To: ldfbrownfields@verizon.net
Subject: Re: Brownfield Eligibility Determination: Clear Lake Junkyard



Clear Lake
Junkyard Site Sp

Hi Kristen,

Good news! Based on the information that you provided, we've determined that this site "is eligible" for Lac du Flambeau to conduct a Phase I assessment on using 128 funds.

Kelley

Kelley A. Moore
Revitalization, Documents and Agreements Branch
USEPA Region 5
312-886-3598

Kristen Hanson
<ldfbrownfields@
verizon.net>

06/26/2006 01:14
PM

Kelley Moore/R5/USEPA/US@EPA

To

cc

Please respond
to
ldfbrownfields@v
erizon.net

Subject

Brownfield Eligibility
Determination: Clear Lake
Junkyard

Good Afternoon Kelley,

I have attached a site-specific eligibility memo for the Clear Lake Junk Yard. We are requesting a brownfield eligibility determination. The Tribal Response Program would like to utilize 128 (a) funds per our approved workplan to conduct a Phase I Environmental Site Assessment for the Clear Lake Junkyard Property.

This property was acquired by the Tribe from a former allotment. The previous allottees are deceased. The former owners (the allottees) repaired vehicles and operated an illegal junkyard. Remnants of the junkyard operations and possible illegal dumping are strewn across approximately 10 acres.

The tribe is concerned about possible contamination associated with this property. The area is near sensitive areas including a lake, a wetland, and old growth forest. In addition, there is a private well on adjacent property.

Long-term redevelopment plans include returning the entire property to hunting and gathering grounds. Land available for subsistence living and hunting and gathering has drastically decreased over the last 10 years. Hunting and gathering land is a much needed resource.

It appears that this site was previously considered by EPA for brownfield eligibility determination (Please be aware that this current submittal includes updated information).

Kristen Hanson

Brownfields Coordinator

Lac du Flambeau Band of Lake Superior Chippewa Indians

603 Peace Pipe Rd

P.O. Box 67

Lac du Flambeau, Wisconsin

Phone: 715-588-4290

FAX: 715-588-3207

Cell: 715-614-4644

email: ldfbrownfields@verizon.net

(See attached file: CLear Lake Junkyard Site Specific
Determination.doc)



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

Form Approved.
OMB No. 2050-0192
Expires 07-31-2009

PROPERTY PROFILE FORM—Brownfields

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PART I - GRANT RECIPIENT INFORMATION

1. Grant Recipient Name (State/Tribe for Section 128(a) Grants; requestor/contractor for TBAs):
Lac du Flambeau Band of Lake Superior Chippewa Indians
2. Grant Number (contract number for TBAs):
RP-96559601-1
3. Type of Brownfields Grant (check only one box):
☐ Assessment
☐ Revolving Loan Fund
☐ Cleanup
☒ Section 128(a) - State and Tribal Response Program
☐ TBA (EPA Regions Only)
4. For Assessment, Cleanup, and Revolving Loan Fund grants, what type of funding is being used at the property?
☐ Hazardous
☐ Petroleum
☐ Both
5. Indicate if this form is the Initial or Updated Form:
☒ Initial Form
☐ Updated Form
6. Date:
10/24/2006

PART II - PROPERTY INFORMATION

Property Background Information

7. Property Name: Former Patterson Property
- 8a. Street Address: 13519 Highway 70 West
- 8b. City: Lac du Flambeau Wisconsin
- 8c. State: WI 8d. Zip Code: 54538
9. Size (in acres): 6.24
10. Parcel Number(s):
- 11a. Ownership Entity:
☐ Government (Tribal, State, Local)
☒ Private
- 11b. Current Owner:
A.I. Parterns, LLC

Ownership & Superfund Liability (Mandatory for Cleanup and RLF Grants)

- 12a. During the life of the grant, did ownership change?
☐ Yes
☒ No
- 12b. If "yes," did Superfund federal landowner liability protections factor into the ownership change?
☐ Yes
☐ No
☐ Unknown

Property Geographic Information (EPA Brownfields Program, or its contractors, will provide complete latitude/longitude information if grant recipients are unable)

- 13a. Latitude (use 00.000000 format): 45.899340
- 13b. Longitude (use -000.000000 format): -89.85981
- 13c. Horizontal Collection Method: Global Positioning Method-Unspecified Parameters
- 13d. Source Map Scale Number (only if a map/photo was used):
- 13e. Reference Point (e.g., Center of Facility or Station): Other Point
- 13f. Horizontal Reference Datum (Choose one):
☐ NAD27-North American Datum of 1927
☒ NAD83-North American Datum of 1983
☐ WGS84-World Geodetic System of 1984

Property History Information (as available)

14. Property Description / History / Past Ownership:
Industrial Property- Former sawmill, manufacturing plant, and storage facility
15. Predominant Past Use(s) (check all that apply):
- | Type | Acreage | Type | Acreage |
|--------------------------------------|---------|--|---------|
| <input type="checkbox"/> Greenspace | | <input checked="" type="checkbox"/> Commercial | |
| <input type="checkbox"/> Residential | | <input checked="" type="checkbox"/> Industrial | |

PART III – ENVIRONMENTAL ASSESSMENT INFORMATION (mandatory for Assessment Grants, State & Tribal Property-Specific Assessments, and TBAs; as available for Cleanup and RLF grant recipients)

Table A – Environmental Assessment Activity (If there are multiple assessments, please use a separate line for each assessment)

Environmental Assessment Detail			Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)					Name of Entity Providing Funds	Amount of Funding
Phase (Choose I, II, III)	Start Date	Completion Date	This US EPA Grant	Other Federal	State/Tribal (exclude §128(a) funds)	Local Gov't	Private/Other		
I	10/3/2006		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	USEPA	\$2,000.00
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

16. Indicate whether cleanup is required: ☐ Yes ☐ No ☒ Unknown

Make sure to complete Part V – INSTITUTIONAL CONTROLS INFORMATION before submitting this Property Profile Form to your EPA Regional Representative

PART IV – CONTAMINANTS & MEDIA AFFECTED INFORMATION (mandatory for all grant types)

Table B – Contaminants and Media Affected (check all that apply)

Contaminants		
Class of Contaminant	Found	Cleaned Up
Petroleum/Petroleum Products	<input type="checkbox"/>	<input type="checkbox"/>
Controlled Substances	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>
VOCs	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>
Other Metals	<input type="checkbox"/>	<input type="checkbox"/>

Media		
Media	Affected	Cleaned Up
Soil	<input type="checkbox"/>	<input type="checkbox"/>
Air	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water	<input type="checkbox"/>	<input type="checkbox"/>
Ground Water	<input type="checkbox"/>	<input type="checkbox"/>
Drinking Water	<input type="checkbox"/>	<input type="checkbox"/>
Sediments	<input type="checkbox"/>	<input type="checkbox"/>
No Media Affected	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>

PAHs	<input type="checkbox"/>	<input type="checkbox"/>
Other Contaminants	<input type="checkbox"/>	<input type="checkbox"/>

No Contaminants	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

State & Tribal Brownfields/Voluntary Response Program Information

17a. State & Tribal Program Enrollment (If the property was not enrolled in a state program, check Property Not Enrolled check box):

Date of Enrollment 8/17/2006 ID Number (if applicable) 14

☐ Property Not Enrolled in a State or Tribal Program

17b. Date No Further Action/Cleanup Completion Document Issued

(If the property was not enrolled in a state or tribal program, leave blank):

Date: _____

PART V – INSTITUTIONAL CONTROLS INFORMATION (mandatory for all grant types)

18a. Indicate whether Institutional Controls are required: ☐ Yes ☐ No

18b. If Institutional Controls were required, indicate the category (check all that apply):

☐ Proprietary Controls (e.g., easements, covenants)

☐ Governmental Controls (e.g., zoning, building codes)

☐ Informational Devices (e.g., state registries, deed notices)

☐ Enforcement/Permit Tools (e.g., permits, consent decrees)

Address of Data Source (URL if available): _____

18c. Indicate whether Institutional Controls in place:

☐ Yes ☒ No Date: 10/24/2006

PART VI – ENVIRONMENTAL CLEANUP INFORMATION (mandatory for Cleanup and RLF Grants and State & Tribal Property-Specific Cleanups; as available for Assessment Grants and TBAs)

19. Cleanup Activity Start Date: _____ 20. Cleanup Activity Completion Date: _____ 21. Acres Cleaned Up: _____

22. If EPA Brownfields funding was used, indicate the type and amount (If any non-EPA funding was used, fill out Table C):

Type	Amount	Type	Amount
<input type="checkbox"/> Cleanup Grant	_____	<input type="checkbox"/> RLF Subgrant	_____
<input type="checkbox"/> RLF Loan	_____	<input type="checkbox"/> Section 128(a) State/Tribal Grants	_____

Table C - Environmental Cleanup Leveraged Funding Detail

Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal (exclude §128(a) funds)	Local Gov't	Private/ Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VII – REDEVELOPMENT AND OTHER LEVERAGED ACCOMPLISHMENTS (Mandatory for Assessment, Cleanup and RLF Grants; as available for State and Tribal Property Specific Activities and TBAs)

23. Redevelopment Start Date: _____ 24. Future Use and Estimated Acreage (check all that apply):

Type	Acreage	Type	Acreage
<input type="checkbox"/> Greenspace	_____	<input type="checkbox"/> Commercial	_____
<input type="checkbox"/> Residential	_____	<input type="checkbox"/> Industrial	_____

25. Number of Cleanup and Redevelopment Jobs Leveraged: _____

26. Actual Acreage(s) and Type(s) of Greenspace Created: _____

Table D - Funds Used to Perform Redevelopment Activities

Source of Funding (enter one source of funding per line; do not include)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal	Local Gov't	Private/ Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VIII – ANECDOTAL PROPERTY INFORMATION (as available for all grant types)

27. Property Highlights: _____

Property Photograph Information

28. Indicate whether photographs are available: ☒ Yes ☐ No 29. Indicate whether video is available: ☐ Yes ☒ No

PART IX – APPROVALS

30. Grant Recipient Project Manager

Name (please print)

Ms. Kristen Hanson

31. US EPA Regional Representative

Name (please print)

Ms. Kelley Moore

Signature

Kristen Hanson

Date

10/24/06

Signature

Date

Lac du Flambeau Band of Lake Superior Chippewa
Tribal Brownfields Program
Site Specific Eligibility Determination

1. Name of site	Patterson Property
2. Address of site	13519 Highway 70 West, Lac du Flambeau WI
3. GPS Coordinates	N 45.89780 °, W 89.85710 °
4. Will application for waiver of \$200,000 per site funding limit be submitted?	No. Tribe will be using 128(a) funds to do this work.
5. Is the site listed or proposed for listing on the NPL?	No
6. Is the site subject to administrative orders, court orders, etc., under CERCLA?	No
7. Land Jurisdiction	Fee Land
8. Current owner	A. I. Partners, LLC
9. When did current owner become owner?	2003
10. Who was the site acquired from?	unknown
11. Is the site contaminated by petroleum products or hazardous substances?	Yes, two closed WDNR sites exist. These are: a historical petroleum spill and a LUST site.
12. What is the operational history of the site?	The site was used a part of a sawmill operation until the mid 1970's. The buildings were later used as a compact disk manufacturing/distribution facility until 2002. For a short duration (less than 1 year) the site was utilized as a storage facility and office building. Currently the buildings and

	property is vacant.
13. What is the current usage of the site?	Vacant commercial property
14. Identify environmental concerns, if known.	Aside from the closed WDNR LUST site and closed WDNR ERP site, the environmental concerns are unknown.
15. Is the site a petroleum site?	Yes
16. Explain the phase of assessment, if any, that has been completed to date. Provide dates.	WDNR LUST site closed September 2003. WDNR ERP site closed November 1994.
17. How did the site become contaminated including the extent and nature of contamination?	The known contamination (see #16) originated from sawmill operations.
18. Identify known ongoing or anticipated environmental enforcement actions.	None
For sites not owned by the Tribe	
19. Describe relationship with the owner.	The Tribe is a potential purchaser
20. Describe owners role in work to be performed	Current owner is a LLC company. Owner will provide access for phase I assessment.
21. Describe how the Tribe will gain access to the site	Owner will provide access for phase I assessment
For sites owned by the Tribe	
22. Describe how the Tribe took ownership of the site	N.A.
23. Did all disposal of hazardous substances occur before the Tribe owned the property?	N.A

24. Describe inquiry into previous ownership.	N.A.
25. Describe usage of the site, past and present.	N.A.
26. Describe any liability the Tribe may have.	N.A.
27. Identify any known parties who may be potentially liable	N.A.
28. Describe appropriate care the Tribe exercised with respect to hazardous substance found at the site.	N.A.
29. Will the Tribe comply with all land use restrictions, institutional controls, assist and cooperate with those performing cleanup, provide access to the property, comply with all information requests, and provide all legally required notices.	N.A.
30. What is the purpose of this assessment? Does the Tribe plan on redeveloping or reusing the property? Did a Tribal member request this assessment?	N.A.
For petroleum contaminated properties	Note the Tribe will provide information and documentation in a narrative form regarding the below four questions so that EPA can make the site eligibility determination for petroleum contaminated properties.
31. Is the site of relatively low risk within the State and the reservation?	Yes- The identified contamination has been closed by WDNR.
32. Is there a viable responsible party as defined in the CERCLA 104(k) grant guidelines for the year in which the Tribe was awarded this funding?	N.A.
33. Will the site be assessed, investigated or cleaned up by a liable party?	The initial petroleum assessment and cleanup was completed by a liable party.
34. Are there any outstanding orders on the site?	None

Kristen Hanson

From: Moore.Kelley@epamail.epa.gov
Sent: Thursday, August 17, 2006 9:43 AM
To: ldfbrownfields@verizon.net
Cc: Olson.Erik@epamail.epa.gov
Subject: Re: Brownfield Eligibility Determination: Patterson Property



Patterson
erty Site Spe

Hi Kristen,

Upon review of all the information the Lac du Flambeau tribe has provided (in addition to the attached), we have concluded that the Patterson Property "is" an eligible Brownfield site. The Tribe may proceed to conduct a Phase I assessment on the property.

Thank you.

Kelley A. Moore
Revitalization, Documents and Agreements Branch
USEPA Region 5
312-886-3598

Kristen Hanson
<ldfbrownfields@
verizon.net>

07/07/2006 01:09
PM

Kelley Moore/R5/USEPA/US@EPA

To

cc

ldfbrownfields@verizon.net

Please respond
to
ldfbrownfields@v
erizon.net

Subject

Brownfield Eligibility
Determination: Patterson Property

The Lac du Flambeau Tribal Response program would like to submit the attached eligibility form and following information for brownfield eligibility determination.

The property of interest is the Patterson Property. This commercial property is 6.24 acres located on state highway 70. The Lac du Flambeau Tribe is a potential purchaser. However, the Tribe is extremely concerned about potential environmental issues associated with this site. The Tribe would like to utilize

CERCLA 128 (a) funds to complete a Phase I Environmental Site Assessment consistent with our approved workplan.

The Patterson Property has been utilized as part of a sawmill operation, a compact disk manufacturer/distributor, office space, and a storage facility. The property and buildings are currently vacant and have been for several years.

Two WDNR environmental sites exist on the Patterson Property; a LUST site (WDNR BRRTs # 03-64-118106) and an ERP site (WDNR BRRTs # 02-64-000362). Both sites have been closed by the WDNR with a "no further action required" determination. These two petroleum sites are associated with historic sawmill operations. These sites have been investigated, remediated, and closed and therefore are considered "low risk".

The Tribe's redevelopment plans include a possible manufacturing operation and office space.

Please reply with any other information needs that are necessary for this brownfield eligibility determination.

Kristen Hanson

Brownfields Coordinator

Lac du Flambeau Band of Lake Superior Chippewa Indians

603 Peace Pipe Rd

P.O. Box 67

Lac du Flambeau, Wisconsin

Phone: 715-588-4290

FAX: 715-588-3207

Cell: 715-614-4644

email: ldfbrownfields@verizon.net

(See attached file: Patterson Property Site Specific Determination.doc)

5



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

Form Approved.
OMB No. 2050-0192
Expires 07-31-2009

PROPERTY PROFILE FORM—Brownfields

Public reporting burden for this collection of information is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Environmental Protection Agency, Office of Environmental Information, Code 2822T, Washington, DC 20460 and to the Paperwork Reduction Project, Office of Management and Budget, Washington, DC 20503. DO NOT RETURN your form to either of these addresses. Send your completed form to the address provided by the issuing office.

PART I - GRANT RECIPIENT INFORMATION

1. Grant Recipient Name (State/Tribe for Section 128(a) Grants; requestor/contractor for TBAs):
Lac du Flambeau Band of Lake Superior Chippewa Indians
2. Grant Number (contract number for TBAs):
RP-96559601-2
3. Type of Brownfields Grant (check only one box):
☐ Assessment ☒ Section 128(a) - State and Tribal Response Program
☐ Revolving Loan Fund ☐ TBA (EPA Regions Only)
☐ Cleanup
4. For Assessment, Cleanup, and Revolving Loan Fund grants, what type of funding is being used at the property?
☐ Hazardous ☐ Petroleum ☐ Both
5. Indicate if this form is the Initial or Updated Form:
☒ Initial Form ☐ Updated Form
6. Date: _____

PART II - PROPERTY INFORMATION

Property Background Information

7. Property Name: Highway 70 Fireworks Stand
- 8a. Street Address: 14258 State Highway 70 West
- 8b. City: Lac du Flambeau
- 8c. State: WI 8d. Zip Code: 54558
9. Size (in acres): 1.13
10. Parcel Number(s): Oct-89
- 11b. Current Owner: Ice Cream Shooters, LLC
- 11a. Ownership Entity:
☐ Government (Tribal, State, Local) ☒ Private

Ownership & Superfund Liability (Mandatory for Cleanup and RLF Grants)

- 12a. During the life of the grant, did ownership change?
☐ Yes ☐ No
- 12b. If "yes," did Superfund federal landowner liability protections factor into the ownership change?
☐ Yes ☐ No ☐ Unknown

Property Geographic Information (EPA Brownfields Program, or its contractors, will provide complete latitude/longitude information if grant recipients are unable)

- 13a. Latitude (use 00.000000 format): 45.914160
- 13b. Longitude (use -000.000000 format): -89.91256
- 13c. Horizontal Collection Method: GPS Carrier Phase Static Position
- 13d. Source Map Scale Number (only if a map/photo was used): _____
- 13e. Reference Point (e.g., Center of Facility or Station): Entrance Point of a Facility or Station
- 13f. Horizontal Reference Datum (Choose one):
☐ NAD27-North American Datum of 1927 ☒ WGS84-World Geodetic System of 1984
☒ NAD83-North American Datum of 1983

Property History Information (as available)

14. Property Description / History / Past Ownership:
fireworks store, grocery store
15. Predominant Past Use(s) (check all that apply):
- | Type | Acreage | Type | Acreage |
|--|-------------|--|-------------|
| <input checked="" type="checkbox"/> Greenspace | <u>0.38</u> | <input checked="" type="checkbox"/> Commercial | <u>0.75</u> |
| <input type="checkbox"/> Residential | _____ | <input type="checkbox"/> Industrial | _____ |

PART III – ENVIRONMENTAL ASSESSMENT INFORMATION (mandatory for Assessment Grants, State & Tribal Property-Specific Assessments, and TBAs; as available for Cleanup and RLF grant recipients)

Table A – Environmental Assessment Activity (If there are multiple assessments, please use a separate line for each assessment)

Environmental Assessment Detail			Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)					Name of Entity Providing Funds	Amount of Funding
Phase (Choose I, II, III)	Start Date	Completion Date	This US EPA Grant	Other Federal	State/Tribal (exclude §128(a) funds)	Local Gov't	Private/Other		
I	11/23/2006		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
II	11/23/2006		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

16. Indicate whether cleanup is required: ☐ Yes ☐ No ☒ Unknown

Make sure to complete Part V – INSTITUTIONAL CONTROLS INFORMATION before submitting this Property Profile Form to your EPA Regional Representative

PART IV – CONTAMINANTS & MEDIA AFFECTED INFORMATION (mandatory for all grant types)

Table B - Contaminants and Media Affected (check all that apply)

Contaminants			Media	
Class of Contaminant	Found	Cleaned Up	Media	Affected/Cleaned Up
Petroleum/Petroleum Products	<input type="checkbox"/>	<input type="checkbox"/>	Soil	<input type="checkbox"/>
Controlled Substances	<input type="checkbox"/>	<input type="checkbox"/>	Air	<input type="checkbox"/>
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	Surface Water	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	Ground Water	<input type="checkbox"/>
VOCs	<input type="checkbox"/>	<input type="checkbox"/>	Drinking Water	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>	Sediments	<input type="checkbox"/>
Other Metals	<input type="checkbox"/>	<input type="checkbox"/>	No Media Affected	<input type="checkbox"/>
			Unknown	<input type="checkbox"/>
PAHs	<input type="checkbox"/>	<input type="checkbox"/>		
Other Contaminants	<input type="checkbox"/>	<input type="checkbox"/>		
No Contaminants	<input type="checkbox"/>			
Unknown	<input type="checkbox"/>			

State & Tribal Brownfields/Voluntary Response Program Information

17a. State & Tribal Program Enrollment (If the property was not enrolled in a state program, check Property Not Enrolled check box):

Date of Enrollment 11/1/2006 ID Number (if applicable) 226

17b. Date No Further Action/Cleanup Completion Document Issued

(If the property was not enrolled in a state or tribal program, leave blank):

Date: _____

☐ Property Not Enrolled in a State or Tribal Program

PART V – INSTITUTIONAL CONTROLS INFORMATION (mandatory for all grant types)**18a.** Indicate whether Institutional Controls are required: ☐ Yes ☐ No**18b.** If Institutional Controls were required, indicate the category (check all that apply):

- ☐ Proprietary Controls (e.g., easements, covenants) ☐ Governmental Controls (e.g., zoning, building codes)
- ☐ Informational Devices (e.g., state registries, deed notices) ☐ Enforcement/Permit Tools (e.g., permits, consent decrees)

Address of Data Source (URL if available): _____

18c. Indicate whether Institutional Controls in place:☐ Yes ☐ No Date: _____**PART VI – ENVIRONMENTAL CLEANUP INFORMATION (mandatory for Cleanup and RLF Grants and State & Tribal****19.** Cleanup Activity Start Date: _____ **20.** Cleanup Activity Completion Date: _____ **21.** Acres Cleaned Up: _____**22.** If EPA Brownfields funding was used, indicate the type and amount (If any non-EPA funding was used, fill out Table C):

Type	Amount	Type	Amount
<input type="checkbox"/> Cleanup Grant	_____	<input type="checkbox"/> RLF Subgrant	_____
<input type="checkbox"/> RLF Loan	_____	<input type="checkbox"/> Section 128(a) State/Tribal Grants	_____

Table C - Environmental Cleanup Leveraged Funding Detail

Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal (exclude \$128(a) funds)	Local Gov't	Private/ Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VII – REDEVELOPMENT AND OTHER LEVERAGED ACCOMPLISHMENTS (Mandatory for Assessment, Cleanup**23.** Redevelopment Start Date: _____ **24.** Future Use and Estimated Acreage (check all that apply):

Type	Acreage	Type	Acreage
<input type="checkbox"/> Greenspace	_____	<input type="checkbox"/> Commercial	_____
<input type="checkbox"/> Residential	_____	<input type="checkbox"/> Industrial	_____

25. Number of Cleanup and Redevelopment Jobs _____**26.** Actual Acreage(s) and Type(s) of Greenspace Created: _____**Table D - Funds Used to Perform Redevelopment Activities**

Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal	Local Gov't	Private/ Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VIII – ANECDOTAL PROPERTY INFORMATION (as available for all grant types)

27. Property Highlights:

Property Photograph Information

28. Indicate whether photographs are available:

☒ Yes ☐ No

29. Indicate whether video is available:

☐ Yes ☒ No

PART IX – APPROVALS

30. Grant Recipient Project Manager

Name (please print)

Kristen Hanson

Signature

Date

1/30/2006

31. US EPA Regional Representative

Name (please print)

Signature

Date

Lac du Flambeau Band of Lake Superior Chippewa
Tribal Brownfields Program
Site Specific Eligibility Determination

1. Name of site	Hwy 70 Fireworks Stand
2. Address of site	14258 State Highway 70 West
3. GPS Coordinates	N 45.91416, W 089.91256
4. Will application for waiver of \$200,000 per site funding limit be submitted?	No. Tribe will be using 128(a) funds to do this work.
5. Is the site listed or proposed for listing on the NPL?	No
6. Is the site subject to administrative orders, court orders, etc., under CERCLA?	No
7. Land Jurisdiction	Fee Land owned by a tribal member (llc company is owned by a tribal member)
8. Current owner	Ice Cream Shooters, LLC Kristy Maulson
9. When did current owner become owner?	Approximately 4-5 years
10. Who was the site acquired from?	Florian Bialis
11. Is the site contaminated by petroleum products or hazardous substances?	Petroleum- No evidence at this time Hazardous Materials- maybe, firework propellants
12. What is the operational history of the site?	Built as a grocery store, then privately held, then a fireworks store
13. What is the current usage of the site?	Commercial – Fireworks sales
14. Identify environmental concerns, if known.	Burned building, potential propellants, potential heavy metals, potential asbestos
15. Is the site a petroleum site?	No
16. Explain the phase of assessment, if any, that has been completed to date. Provide dates.	None
17. How did the site become contaminated including the extent and nature of contamination?	Fire burned building and contents
18. Identify known ongoing or	None

anticipated environmental enforcement actions.	
For sites not owned by the Tribe	
19. Describe relationship with the owner.	Owner is a tribal member
20. Describe owners role in work to be performed	Allows access and cooperatively participates in program
21. Describe how the Tribe will gain access to the site	Tribe has authority over land use and has access rights. Also, owner cooperatively working with tribe and allowing access.
For sites owned by the Tribe	
22. Describe how the Tribe took ownership of the site	N.A.
23. Did all disposal of hazardous substances occur before the Tribe owned the property?	N.A.
24. Describe inquiry into previous ownership.	N.A.
25. Describe usage of the site, past and present.	N.A.
26. Describe any liability the Tribe may have.	N.A.
27. Identify any known parties who may be potentially liable	N.A.
28. Describe appropriate care the Tribe exercised with respect to hazardous substance found at the site.	N.A.
29. Will the Tribe comply with all land use restrictions, institutional controls, assist and cooperate with those performing cleanup, provide access to the property, comply with all information requests, and provide all legally required notices.	N.A.
30. What is the purpose of this assessment? Does the Tribe plan on redeveloping or reusing the property? Did a Tribal member request this assessment?	N.A.
For petroleum contaminated properties	Note the Tribe will provide information and documentation in a narrative form regarding the below four questions so that EPA can make the site eligibility determination for petroleum contaminated properties.

31. Is the site of relatively low risk within the State and the reservation?	N.A.
32. Is there a viable responsible party as defined in the CERCLA 104(k) grant guidelines for the year in which the Tribe was awarded this funding?	N.A.
33. Will the site be assessed, investigated or cleaned up by a liable party?	N.A.
34. Are there any outstanding orders on the site?	N.A.

Kristen Hanson

From: Moore.Kelley@epamail.epa.gov
Sent: Wednesday, November 08, 2006 11:26 AM
To: ldfbrownfields@verizon.net
Subject: Re: Brownfield eligibility: Hwy 70 Fireworks Stand



Hwy 70
Fireworks Stand.doc

Hi Kristen,

We have reviewed the attached eligibility determination for Hwy 70 Fireworks Stand and approve the site for Phase I work under the 128(a) cooperative agreement.

Kelley A. Moore
Revitalization, Documents and Agreements Branch
USEPA Region 5
312-886-3598

Kristen Hanson
<ldfbrownfields@
verizon.net>

11/02/2006 08:46
AM

Kelley Moore/R5/USEPA/US@EPA

To
cc

Please respond
to
ldfbrownfields@v
erizon.net

Subject
Brownfield eligibility: Hwy 70
Fireworks Stand

Good Morning Kelley,

The Hwy 70 Fireworks stand burned on October 27th 2006. Potential environmental concerns include propellants and metals associated with the fireworks housed within the building structure. The building structure is located adjacent to Tower Creek. The tribal response program would like to utilize 128(a) monies to conduct a Phase I environmental Site Assessment at this property. Work would be conducted consistent with our Cooperative Agreement Work Plan. Redevelopment goals at this property include removing and properly

disposing the burned building and making this site ready for redevelopment. The completed LDF Site Specific Eligibility Determination Form is attached to this email.

The property is not owned by the tribe and at this time is not a petroleum site. The Tribal Response Program determination is that this site "is" an eligible brownfields site.

Does this determination require further EPA review prior to conducting a Phase I Environmental Site Assessment?

Sincerely,

Kristen Hanson

Brownfields Coordinator

Lac du Flambeau Band of Lake Superior Chippewa Indians

603 Peace Pipe Rd

P.O. Box 67

Lac du Flambeau, Wisconsin

Phone: 715-588-4290

FAX: 715-588-3207

Cell: 715-614-4644

email: ldfbrownfields@verizon.net

(See attached file: Hwy 70 Fireworks Stand.doc)



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

Form Approved
OMB No. 2050-0192
Expires 07-31-2009

PROPERTY PROFILE FORM—Brownfields

Public reporting burden for this collection of information is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Environmental Protection Agency, Office of Environmental Information, Code 2822T, Washington, DC 20460 and to the Paperwork Reduction Project, Office of Management and Budget, Washington, DC 20503. DO NOT RETURN your form to either of these addresses. Send your completed form to the address provided by the issuing office.

PART I - GRANT RECIPIENT INFORMATION

1. Grant Recipient Name (State/Tribe for Section 128(a) Grants; requestor/contractor for TBAs):
Lac du Flambeau Band of Lake Superior Chippewa Indians
2. Grant Number (contract number for TBAs):
RP-96559601-1
3. Type of Brownfields Grant (check only one box):
☐ Assessment ☒ Section 128(a) - State and Tribal Response Program
☐ Revolving Loan Fund ☐ TBA (EPA Regions Only)
☐ Cleanup
4. For Assessment, Cleanup, and Revolving Loan Fund grants, what type of funding is being used at the property?
☐ Hazardous ☐ Petroleum ☐ Both
5. Indicate if this form is the Initial or Updated Form:
☒ Initial Form ☐ Updated Form
6. Date:
10/24/2006

PART II - PROPERTY INFORMATION

Property Background Information

7. Property Name: Highway 47 Salvage Yard
- 8a. Street Address: 2823 State Highway 47
- 8b. City: Lac du Flambeau Wisconsin
- 8c. State: WI 8d. Zip Code: 54538
9. Size (in acres): 1.25
10. Parcel Number(s): G3-16, G3-9, and G3-15
- 11b. Current Owner: Mr. James Williams Sr.
- 11a. Ownership Entity:
☐ Government (Tribal, State, Local) ☒ Private Tribal Member - Fee Land

Ownership & Superfund Liability (Mandatory for Cleanup and RLF Grants)

- 12a. During the life of the grant, did ownership change?
☐ Yes ☒ No
- 12b. If "yes," did Superfund federal landowner liability protections factor into the ownership change?
☐ Yes ☐ No ☐ Unknown

Property Geographic Information (EPA Brownfields Program, or its contractors, will provide complete latitude/longitude information if grant recipients are unable)

- 13a. Latitude (use 00.000000 format): 45.981500
- 13b. Longitude (use -000.000000 format): -89.916033
- 13c. Horizontal Collection Method:
Global Positioning Method-Unspecified Parameters
- 13d. Source Map Scale Number (only if a map/photo was used):
- 13e. Reference Point (e.g., Center of Facility or Station):
Center of a Facility or Station
- 13f. Horizontal Reference Datum (Choose one):
☐ NAD27-North American Datum of 1927
☒ NAD83-North American Datum of 1983
- ☐ WGS84-World Geodetic System of 1984

Property History Information (as available)

14. Property Description / History / Past Ownership:
Historical salvage yard located on 3 parcels
15. Predominant Past Use(s) (check all that apply):
- | Type | Acreage | Type | Acreage |
|--------------------------------------|---------|--|-------------|
| <input type="checkbox"/> Greenspace | | <input type="checkbox"/> Commercial | |
| <input type="checkbox"/> Residential | | <input checked="" type="checkbox"/> Industrial | <u>1.25</u> |
| | | <u>Junkyard</u> | |

PART III – ENVIRONMENTAL ASSESSMENT INFORMATION (mandatory for Assessment Grants,

State & Tribal Property-Specific Assessments, and TBAs; as available for Cleanup and RLF grant recipients)

Table A – Environmental Assessment Activity (If there are multiple assessments, please use a separate line for each assessment)

Environmental Assessment Detail			Source of Funding (enter one source of funding per line; do not include funding received prior to the award of this EPA grant)					Name of Entity Providing Funds	Amount of Funding
Phase (Choose I, II, III)	Start Date	Completion Date	This US EPA Grant	Other Federal	State/Tribal (exclude \$128(a) funds)	Local Govt	Private/Other		
I	10/28/2005	1/27/2006	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	USEPA	\$1,697.00
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

16. Indicate whether cleanup is required: ☐ Yes ☐ No ☒ Unknown**Make sure to complete Part V – INSTITUTIONAL CONTROLS INFORMATION before submitting this Property Profile Form to your EPA Regional Representative****PART IV – CONTAMINANTS & MEDIA AFFECTED INFORMATION** (mandatory for all grant types)**Table B - Contaminants and Media Affected** (check all that apply)

Contaminants		
Class of Contaminant	Found	Cleaned Up
Petroleum/Petroleum Products	<input type="checkbox"/>	<input type="checkbox"/>
Controlled Substances	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>
VOCs	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>
Other Metals	<input type="checkbox"/>	<input type="checkbox"/>
PAHs	<input type="checkbox"/>	<input type="checkbox"/>
Other Contaminants	<input type="checkbox"/>	<input type="checkbox"/>
No Contaminants	<input type="checkbox"/>	
Unknown	<input type="checkbox"/>	

Media		
Media	Affected	Cleaned Up
Soil	<input type="checkbox"/>	<input type="checkbox"/>
Air	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water	<input type="checkbox"/>	<input type="checkbox"/>
Ground Water	<input type="checkbox"/>	<input type="checkbox"/>
Drinking Water	<input type="checkbox"/>	<input type="checkbox"/>
Sediments	<input type="checkbox"/>	<input type="checkbox"/>
No Media Affected	<input type="checkbox"/>	
Unknown	<input type="checkbox"/>	

State & Tribal Brownfields/Voluntary Response Program Information

17a. State & Tribal Program Enrollment (If the property was not enrolled in a state program, check Property Not Enrolled check box):

Date of Enrollment 9/27/2005 ID Number (if applicable) 222☐ Property Not Enrolled in a State or Tribal Program

17b. Date No Further Action/Cleanup Completion Document Issued

(If the property was not enrolled in a state or tribal program, leave blank):

Date: _____

PART V – INSTITUTIONAL CONTROLS INFORMATION (mandatory for all grant types)18a. Indicate whether Institutional Controls are required: ☐ Yes ☐ No ☒ Unknown

18b. If Institutional Controls were required, indicate the category (check all that apply):

☐ Proprietary Controls (e.g., easements, covenants)☐ Governmental Controls (e.g., zoning, building codes)☐ Informational Devices (e.g., state registries, deed notices)☐ Enforcement/Permit Tools (e.g., permits, consent decrees)

Address of Data Source (URL if available): _____

18c. Indicate whether Institutional Controls in place:

☐ Yes ☒ NoDate: 10/24/2006

PART VI – ENVIRONMENTAL CLEANUP INFORMATION (mandatory for Cleanup and RLF Grants and State & Tribal Property-Specific Cleanups; as available for Assessment Grants and TBAs)

19. Cleanup Activity Start Date: _____ 20. Cleanup Activity Completion Date: _____ 21. Acres Cleaned Up: _____

22. If EPA Brownfields funding was used, indicate the type and amount (If any non-EPA funding was used, fill out Table C):

Type	Amount	Type	Amount
<input type="checkbox"/> Cleanup Grant	_____	<input type="checkbox"/> RLF Subgrant	_____
<input type="checkbox"/> RLF Loan	_____	<input type="checkbox"/> Section 128(a) State/Tribal Grants	_____

Table C - Environmental Cleanup Leveraged Funding Detail

Source of Funding (Enter one source of funding per line; do not include funding received prior to the award of this EPA grant)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal (exclude §128(a) funds)	Local Gov't	Private/Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VII – REDEVELOPMENT AND OTHER LEVERAGED ACCOMPLISHMENTS (Mandatory for Assessment, Cleanup and RLF Grants; as available for State and Tribal Property Specific Activities and TBAs)

23. Redevelopment Start Date: _____ 24. Future Use and Estimated Acreage (check all that apply):

Type	Acreage	Type	Acreage
<input type="checkbox"/> Greenspace	_____	<input type="checkbox"/> Commercial	_____
<input type="checkbox"/> Residential	_____	<input type="checkbox"/> Industrial	_____

25. Number of Cleanup and Redevelopment Jobs Leveraged: _____

26. Actual Acreage(s) and Type(s) of Greenspace Created: _____

Table D - Funds Used to Perform Redevelopment Activities

Source of Funding (Enter one source of funding per line; do not include)				Name of Entity Providing Funds	Amount of Funding
Other Federal	State/Tribal	Local Gov't	Private/Other		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

PART VIII – ANECDOTAL PROPERTY INFORMATION (as available for all grant types)

27. Property Highlights: _____

Property Photograph Information

28. Indicate whether photographs are available: ☒ Yes ☐ No 29. Indicate whether video is available: ☐ Yes ☒ No

PART IX – APPROVALS

30. Grant Recipient Project Manager

Name (please print)

Ms. Kristen Hanson

31. US EPA Regional Representative

Name (please print)

Ms. Kelley Moore

Signature

Kristen Hanson

Signature

Date

10/24/06

Date

Lac du Flambeau Band of Lake Superior Chippewa
Tribal Brownfields Program
Site Specific Eligibility Determination

1. Name of site	Jim Burns property
2. Address of site	2823 state Hwy 47, Lac du Flambeau WI
3. GPS Coordinates	N 45° 58.890" W 089° 54.962"
4. Will application for waiver of \$200,000 per site funding limit be submitted?	No. Tribe will be using 128(a) funds to do this work.
5. Is the site listed or proposed for listing on the NPL?	No
6. Is the site subject to administrative orders, court orders, etc., under CERCLA?	Tribal Court order to allow access for assessment and possible cleanup.
7. Land Jurisdiction	This is Fee land owned by a Tribal member
8. Current owner	James "Burns" Williams
9. When did current owner become owner?	Early 1980's
10. Who was the site acquired from?	Have not been able to determine this.
11. Is the site contaminated by petroleum products or hazardous substances?	Soil is probably contaminated, there are stained soil spots, drums and car parts.
12. What is the operational history of the site?	Operated as a Junkyard on the early 1980's Owner had a state permit at one point but didn't renew it.

13. What is the current usage of the site?	It is an idle Junk yard, with many auto parts, tires, drums, appliances and solid waste scattered through the 3 parcels of the property. Illegal dumping still occurs on the site. There is a small cabin on the property, but it's not a permanent residence.
14. Identify environmental concerns, if known.	<p>The site is within 10,000 ft of surface water (Flambeau Lake).</p> <p>Site is adjacent to residents that use well water.</p> <p>Numerous community complaints on the site</p> <p>Safety concerns as it has easy access from Hwy 47</p> <p>Illegal dumping continues on site</p>
15. Is the site a petroleum site?	No
16. Explain the phase of assessment, if any, that has been completed to date. Provide dates.	<p>Vilas County did an Environmental Site Assessment (ASTM Standard E1528-00) on one of the three parcels back in October 8, 2001 (Tax Delinquent)...They found drums, soil stains, and recommended a Phase II assessment. The other two adjacent parcels were not assessed.</p> <p>In 1995 the BIA conducted a contaminant survey training with staff from the LDF Natural Resources Dept. on the site.</p>
17. How did the site become contaminated including the extent and nature of contamination?	Poor management of salvage material. There was no rotation or transfer of waste, and most of waste material was never disposed or recovered from site. The site has been closed by the tribe since the 90's but Illegal dumping continues on a regular basis to this date.

18. Identify known ongoing or anticipated environmental enforcement actions.	<p>This is an open case in the Tribal Court, clean up was ordered and owner is not allowed to operate site as a Junk Yard since 1995. Owner is not able to comply with cleanup, so the tribal court has ordered owner to allow access, assessment and cleanup of the property if needed.</p> <p>There is no County action at the time. Owner is currently incarcerated on unrelated charges.</p>
For sites not owned by the Tribe	
19. Describe relationship with the owner.	Owner is a Tribal Member, and has been ordered by the Tribal court to work with Natural Resources staff to allow for site assessment.
20. Describe owners role in work to be performed	Cooperate by giving access to the site. (Owner is incarcerated at present time)
21. Describe how the Tribe will gain access to the site	Through Tribe's legal authority and owner permission (Court ordered)
For sites owned by the Tribe	
22. Describe how the Tribe took ownership of the site	N.A.
23. Did all disposal of hazardous substances occur before the Tribe owned the property?	N.A.
24. Describe inquiry into previous ownership.	Not applicable
25. Describe usage of the site, past and present.	N.A.
26. Describe any liability the Tribe may have.	Site has never belonged or been associated with the Tribe.

27. Identify any known parties who may be potentially liable	N.A.
28. Describe appropriate care the Tribe exercised with respect to hazardous substance found at the site.	N.A.
29. Will the Tribe comply with all land use restrictions, institutional controls, assist and cooperate with those performing cleanup, provide access to the property, comply with all information requests, and provide all legally required notices.	Yes
30. What is the purpose of this assessment? Does the Tribe plan on redeveloping or reusing the property? Did a Tribal member request this assessment?	This is an eyesore for the community as well as a potential risk to neighbors and the community in general. Numerous complaints over the last few years have been made to the Tribal Council about this site.
For petroleum contaminated properties	Note the Tribe will provide information and documentation in a narrative form regarding the below four questions so that EPA can make the site eligibility determination for petroleum contaminated properties.
31. Is the site of relatively low risk within the State and the reservation?	N.A.
32. Is there a viable responsible party as defined in the CERCLA 104(k) grant guidelines for the year in which the Tribe was awarded this funding?	N.A.
33. Will the site be assessed, investigated or cleaned up by a liable party?	N.A.
34. Are there any outstanding orders on the site?	N.A.

Kristen Hanson

From: Moore.Kelley@epamail.epa.gov
Sent: Tuesday, April 18, 2006 3:12 PM
To: kristen hanson
Subject: Re: Jim Burns Property Phase I Site Assessment

Hi again Kristen,

I apologize for the late response on this but since Lac du Flambeau had already conducted the Phase I on this, it wasn't a priority for me while I was preparing for the workshop, etc. We did finally review and discuss this and we accept the Lac du Flambeau's determination that this is an eligible property. Just a reminder that in the future, we expect these in advance of the activity. Thanks...

Kelley

Kelley A. Moore
Revitalization, Documents and Agreements Branch
USEPA Region 5
312-886-3598

kristen hanson
<ldfbrownfields@
newnorth.net>

02/08/2006 02:29
PM

Kelley Moore/R5/USEPA/US@EPA

To

cc

Subject
Jim Burns Property Phase I Site
Assessment

Dear Kelley,

The Lac du Flambeau Tribe Tribal Response Program determined the Jim Burns Property located at 2823 State Highway 47, Lac du Flambeau is a brownfield site eligible for a Phase I site assessment. A copy of the site-specific eligibility determination form is

attached. Additional and supporting documentation is on file with the Lac du Flambeau Tribal Response Program.

The Jim Burns site is located on fee land owned by a tribal member. The site is an abandoned scrap yard. There is no evidence to suggest this site is a petroleum site. Significant documented community complaints and concerns have been documented in regards to the Jim Burns site.

Long term redevelopment goals include returning this land to residential use or green space.

Site visits required for the Phase I Site Assessment were completed in October 2005 with a contracted consultant firm (Northern Environmental). The Phase I Site Assessment Report is dated January 27, 2006 (just recently received).

Please contact me with any comments or concerns regarding the Jim Burns Phase I Site Assessment.

Sincerely,

Kristen Hanson

Brownfields Coordinator

Lac du Flambeau Band of Lake Superior Chippewa Indians

603 Peace Pipe Rd

P.O. Box 67

Lac du Flambeau, Wisconsin

Phone: 715-588-4290

FAX: 715-588-3207

email: ldfbrownfields@newnorth.net

Attachment BK



February 7, 2007

In 2006, the Town of Lac du Flambeau saw another 38 new homes. Of that number, 9 were demolition of existing houses with 8 being reconstructed. We had a total of 267 permits for the year. They include approximately 53 garages, 20 tree cutting, 4 logging, 4 boathouses, 50 larger additions with numerous accessory permits covering decks, fences, porches, paths, patios, sheds, etc. There were 8 Conditional Use hearings, 1 Subdivision application, 2 Rezone and 1 variance application.

We are still the busiest township in all of Vilas County with approximately \$12,264,524.00 spent on building.

FYI, the Ordinance has not been on the computer since 2003 when the old program was incompatible with Windows and deleted. Last year I began to enter it on the computer when other options hadn't worked out. As of last week, it is now all on computer.

Respectfully submitted

Sue Ackland

For the most part, 2005 was a normal year. We came off a record number of permits in 2004 only to drop to a level consistent with previous years with a total of 293 permits last year. We are still the busiest township in all of Vilas County. If you were to combine Vilas and Oneida counties, we would only be second to Minocqua. People continue to be active in developing new lots, building new homes and improving their existing homes and properties.

We had a total of 43 new homes built last year. Eight existing homes had been demolished and replaced with six new homes. ^{SE}EQ Johnson's Lighthouse Resort built a four-plex rental unit on one of their vacant lots.

Fence Lake Lodge was sold and went condo. We had nine subdivisions, many of which involved only 2-4 lots. People recognize the continued value of lake property and are cashing in on the constant demand for more lake lots.

There were 3 new boathouses, 48 logging and tree cutting permits, 50 garage permits, 19 camping permits, 64 additions/alterations and approximately 60 miscellaneous permits which cover paths, steps, fences, demolition patios and such.

All in all a total of approximately \$12,919,645.00 was spent on building costs.

Respectfully submitted,

Sue Ackland
IdF Zoning Administrator

TOWN OF LAC DU FLAMBEAU

P.O. BOX 68, LAC DU FLAMBEAU, WI 54538
(715) 588-3358 FAX (715) 588-7923

March 7, 2005

To the Town Board of Lac du Flambeau:

In accordance with national trends, building permits for the year 2004 are up a bit. In fact, 2004 was a record year for permits and housing starts. Construction costs are about 5 million over the previous year. And again, we continue to lead Vilas County with the most building projects, as we have for the past number of years.

Statistics for 2004:

Single Family	51
Accessory Structures (garage, shed, porch, gazebo, etc.)	85
Additions/Remodel	49
Boathouse	4
Logging/Tree Cutting	43
Camping	21 (grandfathered)
Misc. (demo, moving, steps, patio, deck, path, etc.)	92

There was a total of 340 permits issued, the most ever in the Town.

The contractual cost total was 13,033,070.00, up from the previous years 8.7 million.

The Zoning Committee had 18 Conditional Use Permits, 4 condos, 3 rezones and 3 subdivisions. The Board of Appeals had 2 appeals and 2 variances.

All in all, it was a very busy year.

Respectfully submitted,

Sue Ackland
LdF Zoning Administrator

Supervisor
Mike Christensen

Chairman
Francis P. Chartier

Supervisor
Matthew E. Gaulke

TOWN OF LAC DU FLAMBEAU

P.O. BOX 68, LAC DU FLAMBEAU, WI 54538

(715) 588-3358 FAX (715) 588-7923

February 3, 2004

To the Town Board of Lac du Flambeau:

In accordance with national trends, building permits for the year 2003 are down a bit. However, housing starts are only slightly down from 2002, which was a record year. Construction costs are more in line of average years, with folks still building but spending slightly less. We continue to lead Vilas County with the most building projects, as we have been for quite a number of years now.

Statistics for 2003:

Single Family	38
Multi Family	1
Accessory Structures (garage, shed, gazebo, etc)	73
Additions/Remodel	50
Boathouse	5
Logging/Tree Cutting	41
Camping	18
Misc. (demo, moving, steps, etc.)	110

There was a total of 316 permits issued.

The contractual cost total was \$8,793,109.00, down two million from last year but still up there. ←

The Zoning Committee met for twelve public hearings, reviewing seven Conditional Uses, two Subdivisions, one Rezoning, one Condo Amendment and one revocation of a CUP. The Zoning Administrator had 17 Administrative CUP's.

The Board of Appeals had one Variance hearing.

Respectfully submitted,

Sue Ackland
LdF Zoning Administrator

Supervisor
Mike Christensen

Chairman
Francis P. Chartier

Supervisor
Matthew E. Gaulke

TOWN OF LAC DU FLAMBEAU

P.O. BOX 68, LAC DU FLAMBEAU, WI 54538

(715) 588-3358 FAX (715) 588-7923

February 18, 2003

To the Town Board of Lac du Flambeau:

In accordance with national trends, zoning permits for the year 2002 are up. In fact, we had a record breaking year. More permits were issued this past year than have ever been issued before. The amount of money spent on building projects has also taken a dramatic jump over 2001.

Statistics for 2002:

New home permits (inc. decks, garages, porches)	47
Accessory structures (garages, sheds, sauna, etc.)	64
Additions/Remodel	93
Boathouse	12
Logging/Tree Cutting	47
Camping	16
Misc. (demo, moving, sign, steps, etc.)	55

There was a total of 334 permits issued, up from last years total of 270.

The contractual cost total was \$11,444,769.00, up almost four million from last year.

The zoning committee heard 23 Conditional Uses, 3 Rezoning, 2 Subdivisions and 1 Condo hearings.

The Board of Appeals had 2 Variance hearings.

Respectfully submitted,

Sue Ackland
LdF Zoning Administrator